

Judge Tana Lin

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DMYTRO KOVALENKO, an individual,

Case No.: 2:22-cv-1578-TL

Plaintiff,

vs.

EPIK HOLDINGS, INC., a corporation, and  
ANONYMIZE, INC., a corporation, and John  
Does 1 through 5, doing business as  
www.warsawpoint.com,

**DECLARATION OF DMYTRO  
KOVALENKO IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION AND  
TEMPORARY RESTRAINING ORDER**

Defendants.

I, Dmytro Kovalenko, declare as follows:

1. I make this declaration in support of Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order. The following statements are true and correct and, if called upon, I could competently testify to the facts averred herein.

2. I am a Ukrainian businessman and currently reside in Monaco. I have engaged in the international trade of coal products for more than 20 years. I am the founder of Adelon AG ("Adelon"), a Swiss company that specializes in the international sale of coal products to a number of countries, including China, South Korea, Ukraine, and within the European Union. I own business entities in addition to Adelon, including but not limited to Polska Grupa Importowa Premium Sp. z o.o. I and my companies work exclusively within the legal framework, taking into account all requirements of local and international law. I have spent decades building a solid and unblemished personal and professional reputation

**1 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT  
OF PLAINTIFF'S MOTION FOR PRELIMINARY  
INJUNCTION AND TEMPORARY RESTRAINING ORDER,  
Case No.: 2:22-cv-01578-TL**

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1 in our industry. In connection with both my personal and professional dealings, I maintain  
2 bank accounts with major Swiss banks. I am married and have two children.

3 3. While I am a businessman and own various companies, I am not a public  
4 figure, either in Ukraine or elsewhere. For example, the websites for my companies do not  
5 contain identifying information about me, such as a photograph or biographical information.  
6 The website for Adelon does not even mention my name. I do not assert or publish opinions  
7 about public controversies or political issues or candidates. I have never run for public  
8 office. I do not have any particular influence with politicians or the public at large. I do not  
9 broadcast on Twitter. I do not maintain any social media accounts. I am not an entertainer.  
10 I do not give broadcast interviews or otherwise assert myself in news and entertainment  
11 media. Other than when I am at my office, I am largely anonymous to the public in my day-  
12 to-day activities. Strangers do not recognize me on the street. Photographers do not follow  
13 me. I am known only in narrow business circles. When I make donations to charitable  
14 causes, I do not accept any special public recognition.

15 4. In late January 2022, I learned of an article that had been published on the  
16 website [www.warsawpoint.com](http://www.warsawpoint.com) on or around January 29, 2022, titled, “*Alexander Kurpetko*  
17 *From Rinat Akhmetov Circle Uses Trafigura Trader to Cover Counterfeit Coal Trade*”  
18 (“Article”). A copy of the Article is attached as Ex. 1. While the main focus of the Article  
19 alleges that Alexander Kurpetko, a coal trader involved in supplying coal to Ukraine with  
20 business ties to Rinat Akhmetov, a Ukrainian businessman and the country’s richest oligarch,  
21 engaged in unlawful coal trading and received related kickbacks, the Article also discusses  
22 me. Specifically, it suggests that I am an alleged partner of Kurpetko (maintaining three  
23 companies with him) and have been involved in illegal schemes to ship coal into Ukraine out  
24 of the Donetsk People’s Republic (a disputed entity created by Russia-backed separatists in  
25 eastern Ukraine now annexed by Russia) with the assistance of corrupt Russian and  
26 Ukrainian officials, thereby causing Ukrainians to overpay for coal.

**2 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT  
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5. Specific excerpts from the Article about me include the following:

- “This company, like a number of other Ukrainian and foreign companies, is part of the orbit of Dmitry [sic] Kovalenko, a native of Donbass, who, with the help of corrupt Russian and Ukrainian officials, supplies coal to Ukraine under the ‘interrupted transit’ scheme[.]”
- “Recall that the more firms involved in the supply chain, the more expensive the final product costs the customer in the end. The final product in our case is electricity, for the production of which coal is used. But various schemers, such as Dmitry [sic] Kovalenko and Alexander Kurpetko, pass this coal through the chain of their firms, each of which winds up its margin. This margin eventually settles in the pockets of the authors of the scheme, but ordinary Ukrainians have to pay this money. Which continue to overpay for coal and electricity. At the same time, the coal that travels under this scheme is mined by the ‘DNR.’ Knowing Dmitry [sic] Kovalenko’s connections in Russia and Ukraine, in law enforcement agencies, he could organize this scheme. And in Ukraine, no one will check it.”

6. This was not the first time the Article had been published online. It was previously published by a website called 368.media in January 2022. I no longer have a copy of that article. After my international legal counsel (“International Counsel”) lodged a complaint with the editor and journalists of that website and demanded deletion of the offensive material (per my request), the Article was removed because the editor and journalists agreed the contents of the Article were false.

7. The Article also previously appeared on a website called www.weeklynewsreview.com. A copy of that version is attached as Ex. 2. After International Counsel unsuccessfully demanded removal from that website, a court in Limassol, a city in Cyprus, issued an Interim Order (“Order”) in June 2022 directing the defendant to delete the Article from its website, which it has since done. A copy of the Order is attached as Ex. 3.

**3 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT  
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8. Given the unfounded and defamatory allegations in the Article, on January 29, 2022, upon my direction, International Counsel sent an email to the [www.warsawpoint.com](http://www.warsawpoint.com) website via the contact email address available on its website, demanding immediate removal of the defamatory Article. A copy of that email is attached as Ex. 4. International Counsel also included in their email that the Article was authored by journalists from the website 368.media, and that it appeared that [www.warsawpoint.com](http://www.warsawpoint.com)'s journalists had translated the article into English and posted it on the website without taking any steps to verify the information in the Article.

9. International Counsel received a response from the [www.warsawpoint.com](http://www.warsawpoint.com) website the following day, a copy of which is attached as Ex. 5. It read, "You should open and read it <https://safenote.co/r/6156bd3841354@29857290> , if you need our help[.]" International Counsel clicked on the link to open the message and was shocked to read the following:

Hi!  
I suppose 0.1 BTC will be enough for the retraction of this article, with or without replacing one the one you'll like, at your choice. Please tell me when you'll be ready for the transaction, I'll delete it. You'll then check and if everything is OK, make the transaction and we'll finish the deal with ambiguous [sic] satisfaction.

A copy of the safe note message is attached as Ex. 6. I understand the reference to "BTC" to refer to a digital currency called Bitcoin. On January 30, 2022, one Bitcoin was valued at approximately \$38,000; thus, 0.1 Bitcoin equated to approximately \$3,800. A copy of that valuation is attached as Ex. 7.

10. Upon my instruction, International Counsel conducted a search for [www.warsawpoint.com](http://www.warsawpoint.com) on a website called who.is, which provides registrar information for domain names, which identified Epik Holdings, Inc. ("Epik") as the registrar for that website. Because [www.warsawpoint.com](http://www.warsawpoint.com) uses services provided by Anonymize, Inc., and which

1 protect the identity of the website's owner, International Counsel was unable to identify the  
2 owner of that particular website.

3 11. After reading the message, I instructed International Counsel to send an email  
4 to Epik via an email address located on the latter's website (abuse@epik.com), attaching a  
5 letter demanding immediate removal of the Article, and also apprising Epik of the Order  
6 International Counsel had previously obtained and which led to the Article being deleted  
7 from the www.weeklynewsreview.com website (and including a copy of the Order). A copy  
8 of that email and its enclosures are attached as Ex. 8. Per my instruction, International  
9 Counsel also included a copy of the message demanding payment for removal of the Article,  
10 and apprised Epik that this act constituted unlawful blackmail. Also, per my direction,  
11 International Counsel sent the same letter and attachments to the email address it located for  
12 Anonymize. A copy of that letter is attached as Ex. 9.

13 12. On September 26, 2022, a Customer Success Representative from Epik  
14 responded to International Counsel, informing them that Epik's Support team did not handle  
15 abuse complaints "through tickets, chat or phone," and had to be submitted via the  
16 company's "formal abuse channel, which is abuse.epik.com." A copy of that response is  
17 attached as Ex. 10. However, shortly thereafter on the same day, International Counsel  
18 received a message by email from the same Customer Success Representative, which stated  
19 as follows: "We've marked this ticket (#249390) as resolved. Not yet? No worries. Just  
20 reply back or click the link below and we can continue our dialogue until you are satisfied."  
21 A copy of that email is attached as Ex. 10. International Counsel never received a response  
22 from Anonymize. Since I engaged U.S. counsel to initiate this lawsuit, that counsel has been  
23 in contact with counsel for Epik, who declined to provide information revealing the identity  
24 of the individuals who operate the Warsaw Website. A copy of that communication is  
25 attached as Ex. 11.  
26

**5 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT  
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1           13.     The effect of the Article on my personal and professional reputation and  
2 business interests has been devastating. In addition to being the subject of contempt and  
3 ridicule by colleagues and business partners, business partners have also been avoiding me  
4 and refusing to take part in previously agreed meetings, dinners, and business projects. The  
5 Article has severely injured my professional reputation and business and financial interests  
6 such that both I and the companies I own and operate have suffered.

7           14.     For example, at least six companies – BS ENERGY Group, Braunschweiger  
8 Versorgungs-AG & Co. KG, Veolia Energia Polska S.A., Grupa Azoty, S.A., OT Logistics  
9 S.A., and P2 Trading Sp. Z o.o. – have, since publication of the Article, refused to enter into  
10 business relationships with my companies. Although, upon my instruction, International  
11 Counsel sent letters to these companies explaining that the contents of the Article were  
12 untrue and defamatory, and that I was engaging in legal efforts to have the offensive material  
13 removed (copies of these letters are attached as Ex. 12), the companies would not reconsider  
14 their positions.

15           15.     Although I discovered the Article in January 2022, various events, including  
16 the Russian invasion of Ukraine, have delayed my ability to move for injunctive relief. Once  
17 I discovered the Article in late January 2022, I had to find and retain legal counsel in Poland  
18 in order to attempt to have the Article removed from [www.warsawpoint.com](http://www.warsawpoint.com). This  
19 engagement required that I exchange relevant information and documents to coordinate with  
20 that counsel. Although I instructed Internal Counsel to engage in preliminary efforts directly  
21 with the website soon after my discovery of the Article, their efforts were halted upon the  
22 Russian invasion of Ukraine on February 24, 2022.

23           16.     Although I am a Ukrainian national, I was not in Ukraine at the time of the  
24 invasion; however, many of my family members, friends, and colleagues remained there and  
25 my primary concern was to maintain contact with them and work to make arrangements to  
26 allow them to relocate out of the war-torn region and to a safe place until the conflict was



over. To date, I have managed to organize the relocation of more than 20 of my employees from Ukraine with their families to Poland, where I have rented them accommodation and employed them in a company owned by me - Polska Grupa Importowa Premium Sp. z o.o. In addition, I needed to make urgent arrangements to try to save my business in Ukraine; unfortunately, almost all business in Ukraine has been stopped or ceased due to Russian military action against that country. Finally, I have been involved in humanitarian relief activities for Ukrainian war victims since the conflict began.

17. While the publication and maintenance of the defamatory Article on [www.warsawpoint.com](http://www.warsawpoint.com) has caused, and continues to cause, damage to my personal and professional reputation and business dealings, I placed these greater issues ahead of my own personal agenda. And although the Russian invasion continues, now that I have been able to deal with some of these more urgent and life-threatening matters, I finally have been able to secure U.S. legal counsel to assist me in initiating this legal proceeding against Defendants.

18. While I could simply have yielded to Defendants' extortionist demand and paid them as requested, I opted to address this situation through legal process. Since commencing legal proceedings in conjunction with publication of this false and defamatory Article, I have to date expended many multiples of the extortion demand to attempt to resuscitate my sullied reputation and have the offensive material permanently removed from the internet.

19. Attached to this declaration are true and correct copies of the following documents:

Exhibit No.	Description
1	Article, " <i>Alexander Kurpetko From Rinat Akhmetov Circle Uses Trafigura Trader to Cover Counterfeit Coal Trade</i> ," published on <a href="http://www.warsawpoint.com">www.warsawpoint.com</a> on or around January 29, 2022 (printed from <a href="http://www.warsawpoint.com">www.warsawpoint.com</a> website on November 1, 2022)

**7 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER, Case No.: 2:22-cv-01578-TL**

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Exhibit No.	Description
2	Article, <i>Alexander Turpetko, Rinat Akhmetov Confidant, Is Spotted In Coal Smuggling Schemes, Messes Trafigura Into It</i> , published on <a href="http://www.weeklynewsreview.com">www.weeklynewsreview.com</a> on or around January 29, 2022
3	Interim Order issued by the District Court of Limassol (in Cyprus) on June 2, 2022, in the matter of Dmytro (Dmitry) Kovalenko, Claimant, against Danesco Trading Limited, Defendant
4	Email from International Counsel to <a href="http://www.warsawpoint.com">www.warsawpoint.com</a> dated January 29, 2022
5	Emails between International Counsel and <a href="http://www.warsawpoint.com">www.warsawpoint.com</a> dated January 29 and January 30, 2022
6	Safe note message
7	Valuation of Bitcoin as of January 30, 2022 (printed from <a href="https://convertcryptoto.com/bitcoin/2022-01-30">https://convertcryptoto.com/bitcoin/2022-01-30</a> on November 1, 2022)
8	Email from International Counsel to Epik dated September 23, 2022 (including attachments)
9	Letter from International Counsel to Anonymize dated September 26, 2022
10	Emails from Epik to International Counsel dated September 26, 2022
11	Emails between U.S. Counsel and Epik's counsel dated November 16 and November 28, 2022
12	Letter from International Counsel to: <ul style="list-style-type: none"> <li>Braunschweiger Versorgungs-AG &amp; Co. KG and Veolia Energia Polska S.A. regarding BS ENERGY Group dated September 28, 2022 (excluding exhibits);</li> <li>Grupa Azoty, S.A. dated October 5, 2022 (excluding exhibits);</li> <li>OT Logistics S.A. dated October 5, 2022 (excluding exhibits);</li> <li>and</li> </ul>

**8 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER, Case No.: 2:22-cv-01578-TL**

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Exhibit No.	Description
	<ul style="list-style-type: none"> <li>• P2 Trading Sp. Z o.o. dated October 5, 2022 (excluding exhibits)</li> </ul>

I declare under penalty of perjury under the laws of the United States of America and the laws of the state of Washington that the foregoing is true and correct.

Executed on December 6, 2022.



\_\_\_\_\_  
Dmytro Kovalenko

1363436

**9 - DECLARATION OF DMYTRO KOVALENKO IN SUPPORT  
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11/3/22, 10:34 AM

Alexander Kurpetko from Rinat Akhmetov circle uses Trafigura trader to cover counterfeit coal trade - Warsaw Point



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## Alexander Kurpetko From Rinat Akhmetov Circle Uses Trafigura Trader To Cover Counterfeit Coal Trade

Economics January 29, 2022



The company of businessman Alexander Kurpetko, who worked for the oligarch Rinat Akhmetov, are engaged in illegal coal supplies, hiding behind international traders. The journalists found out about this after investigating the fuel supply scheme to Ukraine.

The key players in the heat generation market of Ukraine, which accounts for up to 30% of the energy produced, are three companies: Rinat Akhmetov's DTEK, Maxim Efimov and Eduard Bondarenko's Donbasenergo, and the state-owned Centrenergo.

For a stable passage of the heating season, PJSC Centrenergo needs 3.5 million tons of coal. As Vladimir Galushchak, a member of the directorate, stated at the beginning of the season, 2 million tons should be supplied by state mines, and the rest will have to be imported. For this purpose, last summer we [PJSC Centrenergo] signed contracts for the import of coal from Poland and the USA through the international trader Trafigura. The sum of these contracts amounted to UAH 1.5 billion! DTEK also uses the services of a trader, which needs to import about 1 million tons of coal.

Cooperation between Rinat Akhmetov and the state is so close here that they divided the first batch of 75 thousand tons of coal bought by a trader from the USA in half. Purchases continue, ships with coal go to Ukraine regularly.



11/3/22, 10:34 AM

Alexander Kurpetko from Rinat Akhmetov circle uses Trafigura trader to cover counterfeit coal trade - Warsaw Point

17.01.2022

### ЦЕНТРЕНЕРГО ОЧІКУЄ ШОСТЕ СУДНО З ІМПОРТНИМ ВУГІЛЛЯМ


Попри складні погодні умови, 16 січня о 12 годині, в одеському порту «Южний» пришвартувалося судно класу Ранамах «W Arcturus» з австралійським енергетичним вугіллям для ПАТ «Центрэнерго». Обсяг партії складає 79 тис. тонн. Розвантаження триває. Все вугілля партії

29.12.2021

### ЦЕНТРЕНЕРГО ЗУСТРІЧАЄ ЧЕРГОВЕ СУДНО З ВУГІЛЛЯМ

ПАТ «Центрэнерго» продовжує поповнювати запаси палива для потреб електростанцій та підтримки стабільної роботи енергосистеми України у пікові періоди споживання електроенергії. Сьогодні, 29 грудня, о 10-й годині ранку в одеський порт «Южний» прибуло чергове судно класу &

In addition to coal, there is another link between DTEK, Centrenergy and Trafigura – Alexander Kurpetko, who previously managed coal purchases for Akhmetov's Metinvest Holding. Before that, he was responsible for this in the Donetskstal association, and now he is the representative of Trafigura in Ukraine. Back in 2019, in parallel with his main work, Kurpitko founded the firm Azurit DWC-LLC, which is also engaged in trading in the coal market. The company was prudently registered in Dubai, UAE, in the “free zone”. Working at Metinvest Holding, Alexander Kurpetko was actually engaged in his own business. To what extent Azurit DWC-LLC is used by Kurpetko in the procurement of coal by Trafigura for Centrenergy now is not reliably known. However, according to unconfirmed information, “kickbacks” received by Kurpetko and his superior Sergey Chernovolenko from Trafigura clients are accumulating here.

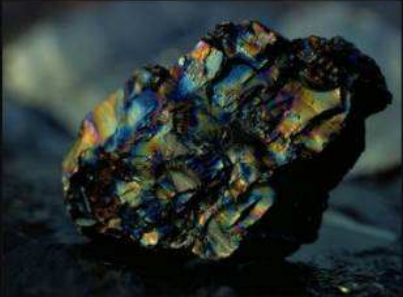

**AZURIT**

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[ADVANTAGES OF WORK WITH US](#)
[CONTACT](#)

## THE COMPANY

Azurit DWC-LLC was incorporated in June 2019 in Dubai as a Free Zone Company. Name of the Company is Azurit.

Legal Address of the Company is Building A5, Office: 328, Business Park, Dubai World Central Dubai UAE



## TEAM

We care about the successful development of the co-operation, with special attention to quality of material and the proper standard of the delivery logistics. Our team is focused to maintain the appropriate level of communication with the client. There is dedicated single employee to handle single client. Also this person takes actions when any element of the supply chain do not work properly: at the moment of reloading, final transport management, preparation for quality testing, carriers' service level.

It turned out that there are three other firms that are also engaged in coal trading. Thus, it turns out that, using the Trafigura trademark and connections, Kurpetko runs his own coal business. His main partner in Ukraine is Dmitry Kovalenko, an “old-timer of the coal market” of the country.

Actually, in fact, there are more firms, but it is reliably known about three companies of these partners: Coaltraydindustry LLC, Intercoaltrading LLC and Terracone Sp. z o.o. (Poland), concerning which there are documentary confirmations on coal purchases.

The Severodonetsk Coaltraydindustry is registered to the front founder Evgeny Klimenko.



11/3/22, 10:34 AM

Alexander Kurpetko from Rinat Akhmetov circle uses Trafigura trader to cover counterfeit coal trade - Warsaw Point

ТОВ "КОАЛТРЕЙДІНДАСТРІ"		Пошук	УКР	Дашборд
Дата реєстрації	28.03.2018 (3 роки 9 місяців)			
Уповноважені особи	ЧЕРКАВСЬКИЙ ВІТАЛІЙ МИКОЛАЙОВИЧ			
Розмір статутного капіталу	1 000,00 грн.			
Організаційно-правова форма	Товариство з обмеженою відповідальністю			
Форма власності	Недержавна власність			
Види діяльності	<p>Основний:</p> <p>05.10 Добування кам'яного вугілля</p> <p>Інші:</p> <p>46.71 Оптова торгівля твердим, рідким, газоподібним паливом і подібними продуктами</p> <p>46.77 Оптова торгівля відходами та брухтом</p> <p>49.41 Вантажний автомобільний транспорт</p> <p><a href="#">Всі Види Діяльності</a></p>			
Контактна інформація	Місцезнаходження юридичної особи:	93404, Луганська обл., місто Северодонецьк, ВУЛИЦЯ ЄГОРОВА, будинок 22, офіс 107		
	E-mail:	omega.grunskayao@gmail.com		Дата оновлення 18.01.2022

This company, like a number of other Ukrainian and foreign companies, is part of the orbit of Dmitry Kovalenko, a native of Donbass, who, with the help of corrupt Russian and Ukrainian officials, supplies coal to Ukraine under the "interrupted transit" scheme

Here are the names of several of Kovalenko's companies involved now or in the past in his schemes:

- I-coal,
- Bremer Trading Limited,
- Korner LP,
- Zeades Limited,
- LLC "INTERTRADING GROUP",
- LLC "INTERTRADING SYSTEMS",
- LLC "RIZALT",
- LLC "INTERCOLTRADING",
- LLC "INTERTRADING GROUP S.A."

All the companies are registered to authorized persons and in fact belong to Dmitry Kovalenko. Exports are processed to Moldova, Poland, Romania, Spain and Switzerland, but in fact all wagons are unloaded in Ukraine. Here is an example of the activity of Coaltreydindustry LLC:

↑  
TOP



11/3/22, 10:34 AM

Alexander Kurpetko from Rinat Akhmetov circle uses Trafigura trader to cover counterfeit coal trade - Warsaw Point

1. Nadawca / Consignor / Expéditeur Terracone Sp. z o.o. Bohaterów Westerplatte 11 lok. 513 45-034 Zielona Góra; Polska		Nr PL/MF/AK 0636822		ORYGINAL Original												
2. Odbiorca / Consignee / Destinataire LLC COALTRADEINDASTRI Egorova, 22, office 107 Lugansk region, Severodonetsk 93404 EGRPU Code 42027119; Ukraina		WSPÓLNOTA EUROPEJSKA EUROPEAN COMMUNITY COMMUNAUTÉ EUROPÉENNE ŚWIADECTWO POCHODZENIA CERTIFICATE OF ORIGIN CERTIFICAT D'ORIGINE														
4. Szczegóły dotyczące transportu (wypełnienie nieobowiązkowe) Transport details (optional) Informations relatives au transport (mention facultative)		3. Kraj pochodzenia / Country of origin / Pays d'origine RU														
5. Uwagi / Remarks / Remarques WYSTAWIONE RETROSPEKTYWNE ISSUED RETROSPECTIVELY NACHTRÄGLICH AUSGESTELLT Délivré à Postérieur RILASCIATO A POSTERIORI																
6. Liczba porządkowa; znaki, numery, liczba i rodzaj opakowań; opis towarów Item number; marks, numbers, number and kind of packages; description of goods. Numéro d'ordre; marques; numéros; nombre et nature des colis; désignation des marchandises				7. Ilość Quantity Quantité												
<table border="1"> <thead> <tr> <th>Lp.</th> <th>CN</th> <th>Nazwa</th> <th>NE.</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>2701</td> <td>ANTRACYT 25-300 MM WAGONY: 55478721, 67395269, 63897300, 56926090, 64055569, 52367802, 56112113, 56251176, 64066525, 55455240, 56215940, 55259667, 56302649, 56325707, 56364532, 55228241, 55475586, 56359672, 60950938, 55472005, 55217178, 56499213, 52255502, 55220164, 638897771, -</td> <td>25</td> </tr> <tr> <td colspan="3">RAZEM :</td> <td>25</td> </tr> </tbody> </table>				Lp.	CN	Nazwa	NE.	1.	2701	ANTRACYT 25-300 MM WAGONY: 55478721, 67395269, 63897300, 56926090, 64055569, 52367802, 56112113, 56251176, 64066525, 55455240, 56215940, 55259667, 56302649, 56325707, 56364532, 55228241, 55475586, 56359672, 60950938, 55472005, 55217178, 56499213, 52255502, 55220164, 638897771, -	25	RAZEM :			25	1701 600 kg ----- 1701 600 kg
Lp.	CN	Nazwa	NE.													
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RAZEM :			25													
500 "Сибэнергуголь" Адрес: 654102, РФ, Кемеровская обл., г. Новокузнецк, ул. Погрузочная, 606, каб. 327. Sibenergougl LLC Address: 654102, RF, Kemerovo region, Novokuznetsk, st. Pogruzochnaya, 606, office 327																
8. NIZEJ PODPISANY ORGAN POŚWIADCZA, ŻE TOWARY OPISANE POWYŻEJ POCHODZĄ Z KRAJU WSKAZANEGO W POLU 3 The undersigned authority certifies that the goods described above originate in the country shown in box 3 L'autorité soussignée certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case N° 3																
SLANKUN, 24.12.2022 Miejsce i data wystawienia, nazwa, podpis i pieczęć właściwego organu Place and date of issue, name, signature and stamp of competent authority Lieu et date de délivrance, désignation, signature et cachet de l'autorité compétente																

25 coal wagons weighing 1,701 tons 600 kg were allegedly delivered by the Polish Terracone Sp. z o.o. to the Ukrainian Coaltradeindustry LLC. The origin of coal at the same time is Novokuznetsk. This delivery is not an isolated one. Almost 680 tons of coal "left" Poland for Ukraine in the same way on January 1, 2022. The country of origin is Russia. In both cases, the buyer is "Intercoaltrading" from Dnipro.

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11/3/22, 10:34 AM

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кная ведомость (дополнительный экземпляр)  
а (egzemplarz dodatkowy)

00347

074286

Платательщик по Польше:  
ООО ПКП ЛХС:  
Trade & Trans Expert Czaicki i Czaicki Sp. J.  
LHS-WH2-02-110/2021 код платателя 05010600

Платательщик по УЗ - ООО "Интеркоалтрейдинг"  
код 2560455.  
Договор №2560455 от 23.03.2020г.

ИЗМ  
ЦИИ: 443601

10 Смотри прилагаемую ведомость

679800

1/01/2022  
331020E0002175

Справка происхождения Товара: Россия. Поставка по контракту  
CONTRACT № 01-TC/ICT dd 01.12.2021.  
Appendix No. 01 dd 01.12.2021 to the contract № 01-TC/ICT dd 01.12.2021

It is in this city that all offices and employees of Kovalenko have their actual location.

This LLC is also included in the orbit of Dmitry Kovalenko, the director and founder are the same figureheads as in the previous case. But what is this Terraco Sp. z o.o., which supplies coal from Poland to various Ukrainian companies with similar name

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11/3/22, 10:34 AM

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is an excerpt from the registry.

## KRAJOWY REJESTR SĄDOWY

Stan na dzień 27.12.2021 godz. 17:12:01

Numer KRS: 0000888581

Informacja odpowiadająca odpisowi pełnemu  
Z REJESTRU PRZEDSIĘBIORCÓW

1.Oznaczenie formy prawnej	1	-	SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ
2.Numer REGON/NIP	2	-	REGON: ---, NIP: 9731076502
	3	-	REGON: 388386065, NIP: 9731076502
3.Firma, pod którą spółka działa	1	-	TERRACONE SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ
Rubryka 7 - Dane wspólników			
L.p.	Numer i nazwa pola	Nr wpisu wprow. wykr.	Zawartość
1	1.Nazwisko / Nazwa lub firma	1 -	KYSEL
	2.Imiona	1 -	SERGII
	3.Numer PESEL/REGON	1 -	82032421972
2	1.Nazwisko / Nazwa lub firma	1 4	KARANOVYCH
	2.Imiona	1 4	ANASTASIIA
	3.Numer PESEL/REGON	1 4	80020918169
3	1.Nazwisko / Nazwa lub firma	4 -	KURPETKO
	2.Imiona	4 -	DIANA
	3.Numer PESEL/REGON	4 -	85101418404
	4.Numer KRS	-	*****
	5.Posiadane przez wspólnika udziały	4 -	45 UDZIAŁÓW O ŁĄCZNEJ WARTOŚCI 2250,00 ZŁ

As of December 27, 2021, the founders of Terraco Sp. z o.o. were three people: Sergey Kisel, Anastasia Karanovich and Diana Kurpetko. It's a familiar name, isn't it? It can also be found in Ukrainian registries.

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ПІБ Курпетко Діана Анатоліївна

Введіть ІПН для пошуку даних по ФОП  Введіть ІПН

В 25 % фізичних осіб-підприємців (ФОП) співпадає прізвище ім'я по батькові (ПІБ). Для ідентифікації даних по ФОП ... [Дізнатися більше](#)

**Розширені дані** Актуально на 20.01.2022

Дата реєстрації

Адреса, контакти Україна, 02160, місто Київ, вул.Регенераторна, будинок 4, корпус 12, квартира 30

КВЕД 70.22 Консультування з питань комерційної діяльності й керування  
Всі КВЕД

The coincidence is not accidental, Diana Kurpetko is the wife of Alexander Kurpetko and in 2021 decided to follow in her husband's footsteps by registering as an entrepreneur.

Judging by the QED – “Consulting on commercial activities and management” and by the fact that she is the co-founder of Terracone Sp. z o.o., which supplies coal, it can be assumed that Diana Kurpetko decided to become an independent consultant on the coal market of Ukraine.

However, let's return directly to Alexander Kurpetko. As already mentioned, he is very adept at using the name and reputation of the employer to his advantage. So it was with Metinvest and Donetskstal, and so it is with Trafigura.

In principle, there would be nothing terrible – these are private firms, let their owners deal with it. If it is acceptable for them that part of the money goes into the pockets of an employee, then this is their decision. But there is one “but”, and it is very significant.

Every citizen of Ukraine will pay for the coal that Kurpetko sells. Because it uses generated electricity. And in the case of Centrenergy, the fee will be double. And part of this coal was supplied to her by Kurpetko, who, according to our information, has close friendly relations with Shavlokhov Zaur, responsible for coal purchases at DTEK, who acted as an intermediary between the state-owned Centrenergy and Trafigura trader.

Recall that the more firms involved in the supply chain, the more expensive the final product costs the consumer in the end. The final product in our case is electricity, for the production of which coal is used. But various schemers, such as Dmitry Kovalenko and Alexander Kurpetko, pass this coal through the chain of their firms, each of which winds up its margin. This margin eventually settles in the pockets of the authors of the scheme, but ordinary Ukrainians have to pay this money. Which continue to overpay for coal and electricity. At the same time, the coal that travels under this scheme is mined by the “DNR”. Knowing Dmitry Kovalenko's connections in Russia and Ukraine, in law enforcement agencies, he could organize this scheme. And in Ukraine, no one will check it.

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**Warning:** Invalid argument supplied for foreach() in `/var/www/warsawpoint/data/www/warsawpoint.com/wp-content/themes/accesspress-mag/content-single.php` on line 69

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Name \*

Email Address \*

Website

Post Comment

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## BUSINESS

# Alexander Kurpetko, Rinat Akhmetov spotted in coal smuggling scheme Trafigura into it

By WeeklyNews staff Posted on 1 min ago 12 min read



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The company of businessman Alexander Kurpetko, who worked for the oligarch Rinat Akhmetov engaged in illegal coal supplies, hiding behind international traders. The journalists found out about this after **investigating the fuel supply scheme to Ukraine**.

[weeklynewsreview.com/news/biz/alexander-kurpetko-rinat-akhmetov-confidant-is-spotted-in-coal-smuggling-scheme-messes-trafigura-into-it/](https://weeklynewsreview.com/news/biz/alexander-kurpetko-rinat-akhmetov-confidant-is-spotted-in-coal-smuggling-scheme-messes-trafigura-into-it/)

1/26



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Donbasenergo, and the state-owned Centrenergo.

For a stable passage of the heating season, PJSC Centrenergo needs 3.5 million tons of coal. As Vladimir Galushchak, a member of the directorate, stated at the beginning of the season, 2 million tons should be supplied by state mines, and the rest will have to be imported. For this purpose, last summer we [PJSC Centrenergo] signed contracts for the import of coal from Poland and the USA through the international trader Trafigura. The sum of these contracts amounted to UAH 1.5 billion! DTEK also uses the services of a trader, which needs to import about 1 million tons of coal.

Cooperation between Rinat Akhmetov and the state is so close here that they divided the first 75 thousand tons of coal bought by a trader from the USA in half. Purchases continue, ships will go to Ukraine regularly.

17.01.2022

### ЦЕНТРЕНЕРГО ОЧІКУЄ ШОСТЕ СУДНО З ІМПОРТНИМ ВУГІЛЛЯМ

Попри складні погодні умови, 16 січня о 12 годині, в одеському порту «Южний» пришвартувалося судно класу Раматах «W Argtilus» з австралійським енергетичним вугіллям для ПАТ «Центренерго». Обсяг партії складає 79 тис. тонн. Розвантаження триває. Все вугілля партії

29.12.2021

### ЦЕНТРЕНЕРГО ЗУСТРІЧАЄ ЧЕРГОВЕ СУДНО ВУГІЛЛЯМ

ПАТ «Центренерго» продовжує поповнювати запаси палива для потреб електростанції підтримки стабільної роботи енергосистеми України у пікові періоди споживання електроенергії. Сьогодні, 29 грудня, о 10-й ранку в одеський порт «Южний» прибуло чергове судно класу &

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was responsible for this in the Donetskstal association, and now he is the representative of Trafigura in Ukraine. Back in 2019, in parallel with his main work, Kurpitko founded the firm Azurit DWC-LLC, which is also engaged in trading in the coal market. The company was prudently registered in Dubai, UAE, in the "free zone". Working at Metinvest Holding, Alexander Kurpetko was actually engaged in his own business. To what extent Azurit DWC-LLC is used by Kurpetko in the procurement of coal by Trafigura for Centrenergy now is not reliably known. However, according to unconfirmed information, "kickbacks" received by Kurpetko and his superior Sergey Chernovolenko from Trafigura clients are accumulating here.



## THE COMPANY

Azurit DWC-LLC was incorporated in June 2019 in Dubai as a Free Zone Company. Name of the Company is Azurit.

Legal Address of the Company is Building A5, Office: 328, Business Park, Dubai World Central Dubai UAE

## TEAM

We care about the successful development of our operation, with special attention to quality and the proper standard of the delivery. Our team is focused to maintain the appropriate level of communication with the client. There is a single employee to handle single client. Also this person takes actions when an error occurs in the supply chain do not work properly. We are responsible for reloading, final transport management for quality testing, carriers' service level.



It turned out that there are three other firms that are also engaged in coal trading. Thus, it turns out that, using the Trafigura trademark and connections, Kurpetko runs his own coal business. His main partner in Ukraine is Dmitry Kovalenko, an "old-timer of the coal market" of the country.

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are documentary confirmations on coal purchases.

The Severodonetsk Coaltreydindustry is registered to the front founder Evgeny Klimenko.

тов "КОАЛТРЕЙДІНДІАСТРІ"

Пошук

укр

Дашборд

Дата реєстрації

28.03.2018 (3 роки 9 місяців)

Уповноважені особи

ЧЕРКАВСЬКИЙ ВІТАЛІЙ МИКОЛАЙОВИЧ

Розмір статутного капіталу

1 000,00 грн.

Організаційно-правова форма

Товариство з обмеженою відповідальністю

Форма власності

Недержавна власність

Види діяльності

Основний:

05.10 Добування кам'яного вугілля

Інші:

46.71 Оптова торгівля твердим, рідким, газоподібним паливом і подібними продуктами

46.77 Оптова торгівля відходами та брухтом

49.41 Вантажний автомобільний транспорт

Всі Види Діяльності

Контактна інформація

Місцезнаходження юридичної особи:

93404, Луганська обл., місто Северодонецьк, вулиця ЄГОР будинок 22, офіс 107

E-mail:

omega.grunskayao@gmail.com

Дата оновлення 18.01.2022

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This company, like a number of other Ukrainian and foreign companies, is part of the orbit of Dmitry Kovalenko, a native of Donbass, who, with the help of corrupt Russian and Ukrainian officials, supplies coal to Ukraine under the “interrupted transit” scheme

Here are the names of several of Kovalenko's companies involved now or in the past in his schemes:

- I-coal,
- Bremer Trading Limited,
- Korner LP,
- Zeades Limited,
- LLC “INTERTRADING GROUP”,
- LLC “INTERTRADING SYSTEMS”,
- LLC “RIZALT”,
- LLC “INTERCOLTRADING”,
- LLC “INTERTRADING GROUP S.A.”

All the companies are registered to authorized persons and in fact belong to Dmitry Kovalenko are processed to Moldova, Poland, Romania, Spain and Switzerland, but in fact all wagons are in Ukraine. Here is an example of the activity of Coaltradingindustry LLC:

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**X**



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Q

Original

WSPÓLNOTA EUROPEJSKA

EUROPEAN COMMUNITY

COMMUNAUTÉ EUROPEENNE

ŚWIADCTWO POCHODZENIA

CERTIFICATE OF ORIGIN

CERTIFICAT D'ORIGINE

Kraj pochodzenia / Country of origin / Pays d'origine

RU

5. Uwagi / Remarks

WYSTAWIENIE FAKTURY KRAJOWEJ (UWAGA)

ISSUED INTRINSICALLY

NACHTRAGLICH AUSGESTELLT

DÄLIVÉ A POSLEDNÍ

RILASCIATO A POSTERIORI

7. Ilość

Quantity

Quantité

1701 600 kg

1701 600 kg

6. Liczba porządkowa; znaki, numery, liczba i rodzaj opakowań; opis towarów

Item number; marks, numbers, number and kind of packages; description of goods

Numéro d'ordre; marques; numéros, nombre et nature des colis; désignation des marchandises

Lp.

CN

Nazwa

NE.

1.

2701

ANTRACYT 25-300 MM

WAGON: 55478721, 67395269, 63897300, 56926090, 64055569, 52367802, 56112113, 56251176, 64066525, 55455240, 56215940, 55259667, 56302649, 56325707, 56364532, 55228241, 55475586, 56359672, 60950938, 55472005, 55217178, 56499213, 52255502, 55220164, 638897771, -

RAZEM :

25

25

500 "Сибэнергосыл" Адрес: 654102, РФ, Кемеровская обл., г. Новокузнецк, ул. Горняцкая, 606, каб. 327. Sibenergo LLC Address: 654102, RF, Kemerovo region, Novokuznetsk, st. Pogornichnaya,

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OPAHITA

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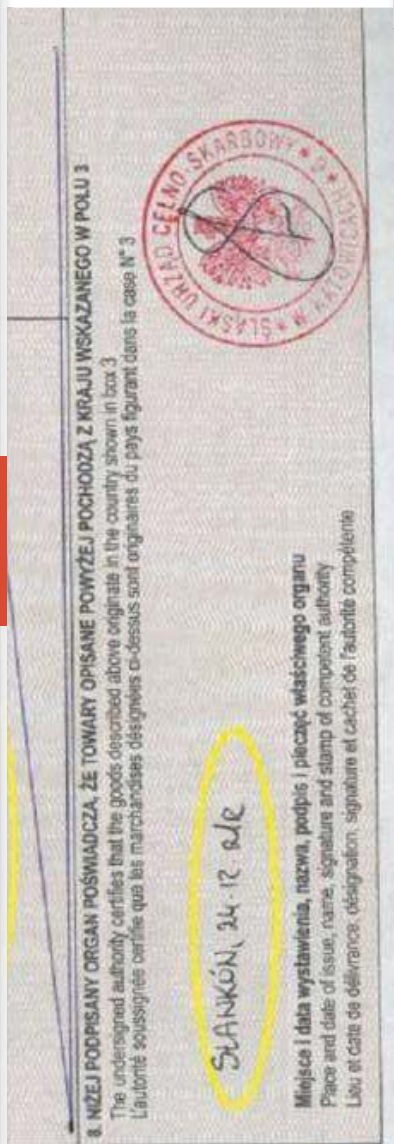
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331020E0002175

1/01/2022

Взаимодействие с государственными органами

27. Задача: обеспечить выполнение работ по...

28. Информация о деятельности...

Справка по договору поставки...

CONTRACT № 01-7C/ICT от 01.12.2021.

Appendix No. 01 от 01.12.2021 to the contract № 01-7C/ICT от 01.12.2021.

29. Информация о деятельности...

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Уполномоченное лицо **МЕЛЕНТЬЕВ ВЯЧЕСЛАВ ВОЛОДИМИРОВИЧ**

Размер уставного капитала **301 000,00 грн.**

Организационно-правовая форма **Общество с ограниченной ответственностью**

Форма собственности **Негосударственная собственность**

Виды деятельности

Основной: **46.12 Деятельность агентов по торговле топливом, рудами, металлами и химическими веществами**

Другие:

- 05.10 Добыча каменного угля**
- 46.90 Неспециализированная оптовая торговля**
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As of December 27, 2021, the founders of Terraco Sp. z o.o. were three people: Sergey Kisel, Karanovich and Diana Kurpetko. It's a familiar name, isn't it? It can also be found in Ukrainian registries.

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1. Oznaczenie formy prawnej	1	-	SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ
2. Numer REGON/NIP	2	-	REGON: ---, NIP: 9731076502
3. Firma, pod którą spółka działa	3	-	REGON: 388386065, NIP: 9731076502
	1	-	TERRACONE SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ
Rubryka 7 - Dane wspólników			
L.p.	Numer i nazwa pola	Nr wpisu wprov. wykr.	Zawartość
1	1. Nazwisko / Nazwa lub firma	1	- KYSEL
	2. Imiona	1	- SERGII
	3. Numer PESEL/REGON	1	- 82032421972
2	1. Nazwisko / Nazwa lub firma	1	4 KARANOVYCH
	2. Imiona	1	4 ANASTASIIA
	3. Numer PESEL/REGON	1	4 80020918169
3	1. Nazwisko / Nazwa lub firma	4	KURPETKO
	2. Imiona	4	DIANA
	3. Numer PESEL/REGON	4	85101418404
	4. Numer KRS	-	*****
	5. Posiadane przez wspólnika udziały	4	45 UDZIAŁÓW O ŁĄCZNEJ WARTOŚCI 2250,00 ZŁ

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Judging by the QED – “Consulting on commercial activities and management” and by the fact that she is the co-founder of Terracone Sp. z o.o., which supplies coal, it can be assumed that Diana Kurpetko decided to become an independent consultant on the coal market of Ukraine.

However, let's return directly to Alexander Kurpetko. As already mentioned, he is very adept at using the name and reputation of the employer to his advantage. So it was with Metinvest and Donetsksstal, and so it is with Trafigura.

ПІБ

Kurpetko Diana Anatoliivna



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Актуально на 20.01.2022

Дата реєстрації

Адреса, контакти

Україна, 02160, місто Київ, вул.Регенераторна, будинок 4, корпус 12, к

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70.22 Консультування з питань комерційної діяльності й керування

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decision. But there is one "but", and it is very significant.

Every citizen of Ukraine will pay for the coal that Kurpetko sells. Because it uses generated electricity. And in the case of Centrenergy, the fee will be double. And part of this coal was supplied to her by Kurpetko, who, according to our information, has close friendly relations with Shavlokhov Zaur, responsible for coal purchases at DTEK, who acted as an intermediary between the state-owned Centrenergy and Trafigura trader.

Recall that the more firms involved in the supply chain, the more expensive the final product costs the consumer in the end. The final product in our case is electricity, for the production of which coal is used. But various schemers, such as Dmitry Kovalenko and Alexander Kurpetko, pass this coal through the chain of their firms, each of which winds up its margin. This margin eventually settles in the pockets of the authors of the scheme, but ordinary Ukrainians have to pay this money. Which continues to cost for coal and electricity. At the same time, the coal that travels under this scheme is mined by the "DNR". Knowing Dmitry Kovalenko's connections in Russia and Ukraine, in law enforcement agencies could organize this scheme. And in Ukraine, no one will check it.

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**DISTRICT COURT OF LIMASSOL**  
BEFORE: M. AYIOMAMITES, S.D.J.

Case number: 674/2022 ijus



Between:

DMYTRO (DMITRY) KOVALENKO Ukrainian Passport No FF280664  
24ET R.24.02 TOUR ODEON, 34 AVENUE DE L'ANNONCIADÉ, 98000 MONACO

Claimant

and

DANESCO TRADING LIMITED Resident Company Registration No 331166  
JOHN KENNEDY, IRIS HOUSE, FLOOR 7, APT./OFFICE 740B, 3106, LIMASSOL  
Defendant

Upon an Application without notice by Messrs. D. HADJINESTOROS & CO L.L.C., advocates for the Claimant/Applicant and upon reading the Sworn Statement submitted in support of this Application and after a guarantee of €50.000 was paid through the authorised attorney of the Claimant/Applicant, Mr. Evripides Hadjinestoros, for any damages and expenses that the Defendant may incur from the issuance of the order,

**This Court HEREBY ORDERS THAT:**

A. An Interim (Temporary) Order is issued and is hereby issued by which the Defendant is ordered to delete the publication of the below article from the website found at the electronic address <http://weeklynewsreview.com/> and the electronic address <http://weeklynewsreview.com/news/biz/alexander-kurpetko-rinat-akhmetov-confidant-is-spotted-in-coal-smuggling-scheme-messes-trafigura-into-it/> and from any other website and online medium under its direction and/or its control and/or its ownership, in which it has published it, until the final hearing of the action and/or until a new order of the Court.

"Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it"

"The company of businessman Alexander Kurpetko, who worked for the oligarch Rinat Akhmetov, is engaged in illegal coal supplies, hiding behind international traders. The journalists found out about this after investigating the fuel supply scheme to Ukraine.

The key players in the heat generation market of Ukraine, which accounts for up to 30% of the energy produced, are three companies: Rinat Akhmetov's DTEK, Maxim Efimov and Eduard Bondarenko's Donbasenergo, and the state-owned Centrenergo.

For a stable passage of the heating season, PJSC Centrenergo needs 3.5 million tons of coal. As Vladimir Galushchak, a member of the directorate, stated at the beginning of the season, 2 million tons should be supplied by state mines, and the rest will have to be imported. For this purpose, last summer we [PJSC Centrenergo] signed contracts for the import of coal from Poland and the USA through the international trader Trafigura. The sum of these contracts amounted to UAH 1.5 billion! DTEK also uses the services of a trader, which needs to import about 1 million tons of coal.

Cooperation between Rinat Akhmetov and the state is so close here that they divided the first batch of 75 thousand tons of coal bought by a trader from the USA in half. Purchases continue, ships with coal go to Ukraine regularly.

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]



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-2-



In addition to coal, there is another link between DTEK, Centrenerg and Trafigura – Alexander Kurpetko, who previously managed coal purchases for Akhmetov's Metinvest Holding. Before that, he was responsible for this in the Donetskstal association, and now he is the representative of Trafigura in Ukraine. Back in 2019, in parallel with his main work, Kurpetko founded the firm Azurit DWC-LLC, which is also engaged in trading in the coal market. The company was prudently registered in Dubai, UAE, in the "free zone". Working at Metinvest Holding, Alexander Kurpetko was actually engaged in his own business. To what extent Azurit DWC-LLC is used by Kurpetko in the procurement of coal by Trafigura for Centrenerg now is not reliably known.

However, according to unconfirmed information, "kickbacks" received by Kurpetko and his superior Sergey Chernovolenko from Trafigura clients are accumulating here.

It turned out that there are three other firms that are also engaged in coal trading. Thus, it turns out that, using the Trafigura trademark and connections, Kurpetko runs his own coal business. His main partner in Ukraine is Dmitry Kovalenko, an "old-timer of the coal market" of the country.

Actually, in fact, there are more firms, but it is reliably known about three companies of these partners: Coaltrayindustry LLC, Intercoaltrading LLC and Terracone Sp. z o.o. (Poland), concerning which there are documentary confirmations on coal purchases.

The Severodonetsk Coaltrayindustry is registered to the front founder Evgeny Klimenko.

This company, like a number of other Ukrainian and foreign companies, is part of the orbit of Dmitry Kovalenko, a native of Donbass, who, with the help of corrupt Russian and Ukrainian officials, supplies coal to Ukraine under the "interrupted transit" scheme

Here are the names of several of Kovalenko's companies involved now or in the past in his schemes:

I-coal,  
Bremer Trading Limited,  
Korner LP,  
Zeades Limited,  
LLC "INTERTRADING GROUP",  
LLC "INTERTRADING SYSTEMS",  
LLC "RIZALT",  
LLC "INTERCOLTRADING",  
LLC "INTERTRADING GROUP S.A."

All the companies are registered to authorized persons and in fact belong to Dmitry Kovalenko. Exports are processed to Moldova, Poland, Romania, Spain and Switzerland, but in fact all wagons are unloaded in Ukraine. Here is an example of the activity of Coaltrayindustry LLC:

25 coal wagons weighing 1,701 tons 600 kg were allegedly delivered by the Polish Terracone Sp. z o.o. to the Ukrainian Coaltrayindustry LLC. The origin of coal at the same time is Novokuznetsk. This delivery is not an isolated one. Almost 680 tons of coal "left" Poland for Ukraine in the same way on January 1, 2022. The country of origin is Russia. In both cases, the buyer is LLC "Intercoaltrading" from Dnipro.

It is in this city that all offices and employees of Kovalenko have their actual location.

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]

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-3-



This LLC is also included in the orbit of Dmitry Kovalenko, the director and founder are the same figureheads as in the previous case. But what is this Terraco Sp. z o.o., which supplies coal from Poland to various Ukrainian companies with similar names? Here is an excerpt from the registry.

As of December 27, 2021, the founders of Terraco Sp. z o.o. were three people: Sergey Kisel, Anastasia Karanovich and Diana Kurpetko. It's a familiar name, isn't it? It can also be found in Ukrainian registries.

The coincidence is not accidental, Diana Kurpetko is the wife of Alexander Kurpetko and in 2021 decided to follow in her husband's footsteps by registering as an entrepreneur.

Judging by the QED – "Consulting on commercial activities and management" and by the fact that she is the co-founder of Terracone Sp. z o.o., which supplies coal, it can be assumed that Diana Kurpetko decided to become an independent consultant on the coal market of Ukraine.

However, let's return directly to Alexander Kurpetko. As already mentioned, he is very adept at using the name and reputation of the employer to his advantage. So it was with Metinvest and Donetsktal, and so it is with Trafigura.

In principle, there would be nothing terrible – these are private firms, let their owners deal with it. If it is acceptable for them that part of the money goes into the pockets of an employee, then this is their decision. But there is one "but", and it is very significant.

Every citizen of Ukraine will pay for the coal that Kurpetko sells. Because it uses generated electricity. And in the case of Centrenergo, the fee will be double. And part of this coal was supplied to her by Kurpetko, who, according to our information, has close friendly relations with Shavlokhov Zaur, responsible for coal purchases at DTEK, who acted as an intermediary between the state-owned Centrenergo and Trafigura trader.

Recall that the more firms involved in the supply chain, the more expensive the final product costs the consumer in the end. The final product in our case is electricity, for the production of which coal is used. But various schemers, such as Dmitry Kovalenko and Alexander Kurpetko, pass this coal through the chain of their firms, each of which winds up its margin. This margin eventually settles in the pockets of the authors of the scheme, but ordinary Ukrainians have to pay this money. Which continue to overpay for coal and electricity. At the same time, the coal that travels under this scheme is mined by the "DNR". Knowing Dmitry Kovalenko's connections in Russia and Ukraine, in law enforcement agencies, he could organize this scheme. And in Ukraine, no one will check it."

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]



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-4-

B. An Interim Order is issued and is hereby issued which prohibits the Defendant and/or its employees and/or its servants and/or its representatives from publishing and/or transmitting to any newspaper and/or publication and/or website and/or online medium and/or radio or television station under its direction and/or its control and/or its ownership and from disclosing to third parties the above-mentioned article in whole or in part and the content and/or claims of the above-mentioned article, until the final hearing of the action and/or until a new order of the Court.

The orders are set returnable on 23/06/22 at 9:30 a.m. The orders remain in effect until then.

The costs are reserved.

ISSUED ON: 02.06.2022 and 09.06.2022

DRAFTED ON: 17.06.2022

(Sgn.) M. AYIOMAMITES, S.D.J.

TRUE COPY

[Sgd.]

REGISTRAR

ENDORSEMENT: If you the above Defendant – DANESCO TRADING LIMITED and/or your employees and/or your servants and/or your representatives, fail to comply with this order, immediately, you are subject to arrest and your property is subject to confiscation.

REGISTRAR

/LM

Receipt No: 2022019	Date: 22/06/2022
In accordance with the power vested in me by the Sworn Translators (Registration and Regulation of Services in the Republic of Cyprus) Law of 2019 (Law 45(I)/2019), I hereby certify that this text in English is a true and accurate translation of the attached document in Greek language.	
Name and Surname of Sworn Translator: Eleni Antoniou	
Register No: 004	
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Contact information of Sworn Translator:

Tel.: +357 99772006 | +357 22584057

Email: aaeleni@gmail.com

Address: 1, Iasonos Street, 1st Floor, 1082 Nicosia

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]

ТЕКУЩЕ 12

Отправитель: Евгений Никитюк e.nikityuk@gmail.com

Тема: Claim to refute unreliable information defaming the honour, dignity and business reputation

Дата: 29 января 2022 г., 18:10

Кому: warsaw@mail-on.us



To: Editor-in-chief - Mateusz Michalski

Leading editor - Bogumił Symanski

From: authorized representative of Mr. Dmitry Kovalenko

*Regarding the demand for the immediate removal of the article posted on the site - Warsaw Point (website link <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>) due to the fact that it contains untrue and false information*

Hereby please be informed that we have found an article published on the Warsaw Point website on 29.01.2022 «Alexander Kurpetko From Rinat Akhmetov Circle Uses Trafigura Trader To Cover Counterfeit Coal Trade»

(link to said article: <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>).

The authors of this article are journalists from the website - 368.media (link to said article:

<https://368.media/2022/01/27/biznesmen-prikryvaetsya-mezhdunarodnoj-firmoj-dlya-legalizatsii-postavok-uglya-v-ukrainu/?fbclid=IwAR3H2WohqIKmhEEbO9byxy7glylcWaNBJKNpdo-KmhYR6Gm8AQ0HoRmFdtE>). Journalists on your website simply have translated this article into English and posted it on the website - Warsaw Point. You and your journalists have not even attempted to verify the accuracy and correctness of the information contained in the article.

We officially declare, that the information placed in the above-mentioned article regarding Mr. Dmitry Kovalenko and all mentioned companies does not correspond to reality completely, is false and far-fetched, and discredits honour, dignity and business reputation of Mr. Dmitry Kovalenko. In his business activity, he strictly complies with applicable Ukrainian and international law. In relation to Mr. Dmitry Kovalenko and all mentioned companies there is no effective criminal case (proceedings) in which the fact of his violation of applicable Ukrainian legislation in carrying out his activities, in particular in the sale of coal products on the territory of Ukraine, was established and proven by appropriate evidence.

We have already lodged a complaint with the editor and journalists of website - 368.media in respect of this article and demanded to delete it immediately. Please note that as of today this article has been removed from the site, which you can check by clicking on the following link: <https://368.media/2022/01/27/biznesmen-prikryvaetsya-mezhdunarodnoj-firmoj-dlya-legalizatsii-postavok-uglya-v-ukrainu/?fbclid=IwAR3H2WohqIKmhEEbO9byxy7glylcWaNBJKNpdo-KmhYR6Gm8AQ0HoRmFdtE>

They agreed that the allegations in the article were false and untrue.

At light of above-mentioned, we demand the immediate removal of this article (link: <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>) from the website - Warsaw Point, otherwise we will be forced to take legal action to protect honour, dignity and business reputation of Mr. Dmitry Kovalenko and in addition to refuting this false information, we will ask you to pay material and moral damages caused by your actions.

Pope that our complaint will be dealt with as soon as possible and that the article will be removed from your website immediately.

Please send a response to this complaint to the email address provided.

Your prompt feedback would be highly appreciated.

With kind regards,  
Nikityuk Evgen

authorized representative of  
Mr. Dmitry Kovalenko



Отправитель: warsaw@mail-on.us

Тема: Re: Claim to refute unreliable information defaming the honour, dignity and business reputation

Дата: 30 января 2022 г., 10:42

Кому: Евгений Никитюк e.nikityuk@gmail.com



You should open and read it <https://safenote.co/r/61f56bd3841354@29857290> , if you need our help

Quoting Евгений Никитюк <[e.nikityuk@gmail.com](mailto:e.nikityuk@gmail.com)>:

Dear Sirs,

With reference to your below letter, I don't understand why you send me this link.  
When I may receive you response to essence of my claim?  
When you remove the article from your website?

Hope for your prompt feedback.

With kind regards,  
Nikityuk Evgen

29 січ. 2022 р. о 18:31 [warsaw@mail-on.us](mailto:warsaw@mail-on.us) пише:

<https://safenote.co/r/61f56bd3841354@29857290>

Quoting Евгений Никитюк <[e.nikityuk@gmail.com](mailto:e.nikityuk@gmail.com)>:

To: Editor-in-chief - Mateusz Michalski

Leading editor - Bogumił Symanski

From: authorized representative of Mr. Dmitry Kovalenko

*Regarding the demand for the immediate removal of the article posted on the site - Warsaw Point (website link <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>) due to the fact that it contains untrue and false information*

Hereby please be informed that we have found an article published on the Warsaw Point website on 29.01.2022 «Alexander Kurpetko From Rinat Akhmetov Circle Uses Trafigura Trader To Cover Counterfeit Coal Trade»

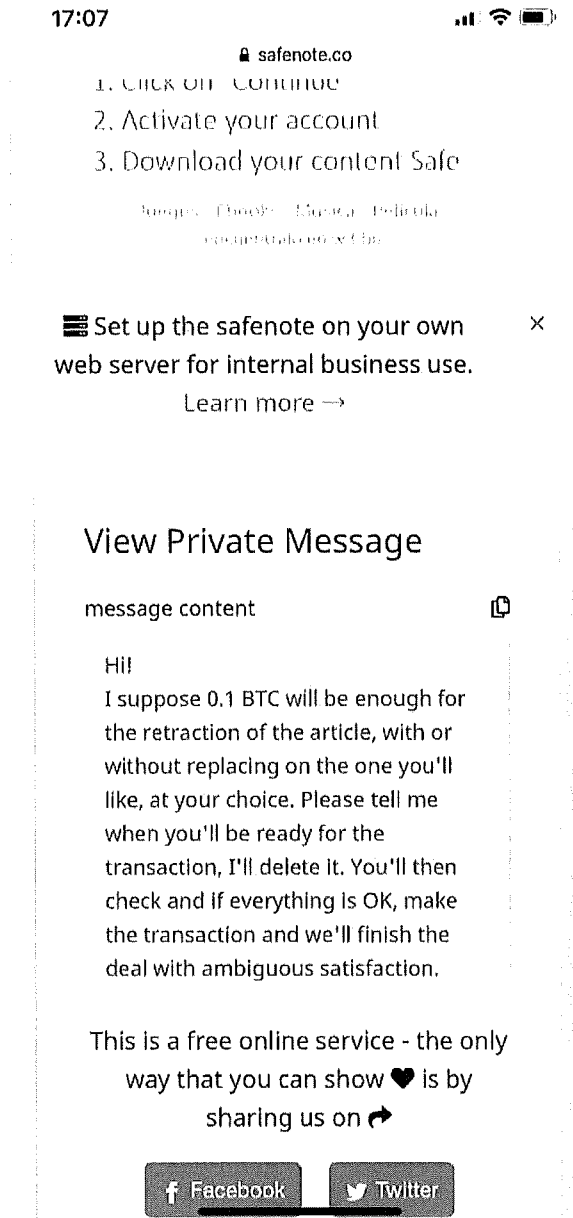
(link to said article: <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>).

The authors of this article are journalists from the website - 368.media (link to said article: <https://368.media/2022/01/27/biznesmen-prikryvaetsya-mezhdunarodnoj-firmoj-dlya-legalizatsii-postavok-uglya-v-ukrainu/?fbclid=IwAR3H2WohqIKmhEEbO9byxy7glylcWaNBjKNpdo-KmhYR6Gm8AQ0HoRmFdtE>).

Journalists on your website simply have translated this

article into English and posted it on the website - Warsaw Point. You and your journalists have not even attempted to verify the accuracy and correctness of the information contained in the article.

We officially declare, that the information placed in the above-mentioned article regarding Mr. Dmitry Kovalenko and all mentioned companies does not correspond to reality



11/3/22, 10:26 AM

Bitcoin Price for January 30, 2022 (2022-01-30)

## ConvertCryptoTo

1 BTC = \$20.2k

 **Bitcoin Price** · January 30, 2022

[← Previous day](#) [Next day →](#)

Price

**\$38,232.17**

Market Cap

**\$722,829,009,646.18**

Total Volume

**\$14,178,650,231.62**

---

## Comparison

If we compare price for this date with the latest price, which is: \$20,278.00 then we'll receive that the price is decreased by **-46.96%**.

Also, let's compare price for this date with the price of a previous day, which is \$37,852.57 then we'll receive that the price is increased by **+1.00%**.

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Bitcoin Price for January 30, 2022 (2022-01-30)

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Naomi D. Johnson

---

**From:** Moldoshev Erlan <erlan.moldoshev@fortiorlaw.com>  
**Sent:** Friday, September 23, 2022 6:56 AM  
**To:** abuse@epik.com  
**Cc:** Vitaliy Kozachenko; Евгений Никитюк  
**Subject:** Hosting Service Abuse - Defamation  
**Attachments:** 2022.09.23 Letter to Epik.pdf; Annexes.pdf

Dear Sirs,

Please see the attached letter and its exhibits.

Kind regards,

Erlan Moldoshev  
Foreign Counsel  
Fortior Law S.A.  
Cours de Rive 4  
1204 Geneva, Switzerland

Tel: [+41 \(0\)22 548 1748](tel:+41225481748)  
Fax: [+41 \(0\)22 518 8090](tel:+41225188090)  
[erlan.moldoshev@fortiorlaw.com](mailto:erlan.moldoshev@fortiorlaw.com)  
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FORTIOR LAW S.A.

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Epik Holdings Inc  
1100 Bellevue Way NE  
Ste 8A-601  
Bellevue WA 98004  
USA

By email only: abuse@epik.com  
23 September 2022

**URGENT**

Dear Sirs,

**DEFAMATORY MATERIAL AT:**

**<http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>**

1. We act as international legal counsel for Mr Dmytro Kovalenko (also known as Dmitry / Dmitriy Kovalenko, Дмитрий Коваленко in Russian, Дмитро Коваленко in Ukrainian).
2. We refer to the article mentioning our client published at the above web-page. We understand that the web-page is hosted by your service.
3. The article is defamatory of our client. It suggests that our client is involved in illegal schemes to ship coal into Ukraine out of the so-called Donetsk People's Republic, and could illegally influence state officials to organise such schemes. This is untrue and tends to damage our client's reputation.
4. We understand that the article was first published on [www.weeklynewsreview.com](http://www.weeklynewsreview.com) and was thereafter re-published at the above web-address. The text of the articles is identical.
5. By order dated 17 June 2022 (issued between 2 and 9 June 2022), a copy of which is attached ("the Order") [**Annex 1**], the Court in Limassol issued an injunction ordering that the article published by the [www.weeklynewsreview.com](http://www.weeklynewsreview.com) (the title and text of which appear in the Order – the text being identical to the one published at the above link) be deleted. The Order likewise requires that the article be deleted from any other websites in which the article has been published, which are in any way linked to the defendant.
6. In compliance with the 17 June 2022 Order, [www.weeklynewsreview.com](http://www.weeklynewsreview.com) deleted the article from its own website.

Your reference: TBD  
Our reference: VK/0122-3  
[info@fortiorlaw.com](mailto:info@fortiorlaw.com)

7. The article however remains published. As we have said, this article is defamatory, should never have been published in the first place and there is a Court Order prohibiting its publication.
8. Prior to obtaining the Court order, our client's Polish lawyers wrote to the email address indicated on the website as their contact email, [warsaw@mail-on.us](mailto:warsaw@mail-on.us), demanding that the defamatory article be removed. In response, they received a message via a secured messaging service, a screenshot of which appears at [Annex 2]. The authors have demanded that our client pay 0.1 Bitcoins to remove the defamatory material: *"I suppose 0.1BTC will be enough for the retraction of the article"*.
9. This is obviously blackmail. Our client demands that the article or the entire website (which is used for blackmail and publication of material which the Court ordered to be deleted) be taken down by your hosting forthwith.
10. Please confirm as a matter of urgency that the article will be deleted and/or that the aforementioned link to the article will be deactivated by your hosting service. Our client's rights are fully reserved.

We look forward to hearing from you.

Yours faithfully,

A handwritten signature in blue ink, appearing to be 'VK', with a long horizontal line extending to the right.

**Vitaliy Kozachenko**

Attorney and Counsellor-at-Law, New York  
Fortior Law S.A

# ANNEX 1

Code: ec420bee-5a93-4e15-9d8f-b26c94a5f1 b6

**DISTRICT COURT OF LIMASSOL**  
BEFORE: M. AYIOMAMITES, S.D.J.

Case number: 674/2022 ijjustice



Between:

DMYTRO (DMITRY) KOVALENKO Ukrainian Passport No FF280664  
24ET R.24.02 TOUR ODEON, 34 AVENUE DE L'ANNONCIADE, 98000 MONACO

Claimant

and

DANESCO TRADING LIMITED Resident Company Registration No 331166  
JOHN KENNEDY, IRIS HOUSE, FLOOR 7, APT./OFFICE 740B, 3106, LIMASSOL  
Defendant

Upon an Application without notice by Messrs. D. HADJINESTOROS & CO L.L.C., advocates for the Claimant/Applicant and upon reading the Sworn Statement submitted in support of this Application and after a guarantee of €50.000 was paid through the authorised attorney of the Claimant/Applicant, Mr. Evripides Hadjinestoros, for any damages and expenses that the Defendant may incur from the issuance of the order,

**This Court HEREBY ORDERS THAT:**

A. An Interim (Temporary) Order is issued and is hereby issued by which the Defendant is ordered to delete the publication of the below article from the website found at the electronic address <http://weeklynewsreview.com/> and the electronic address <http://weeklynewsreview.com/news/biz/alexander-kurpetko-rinat-akhmetov-confidant-is-spotted-in-coal-smuggling-scheme-messes-trafigura-into-it/> and from any other website and online medium under its direction and/or its control and/or its ownership, in which it has published it, until the final hearing of the action and/or until a new order of the Court.

"Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it"

"The company of businessman Alexander Kurpetko, who worked for the oligarch Rinat Akhmetov, is engaged in illegal coal supplies, hiding behind international traders. The journalists found out about this after investigating the fuel supply scheme to Ukraine.

The key players in the heat generation market of Ukraine, which accounts for up to 30% of the energy produced, are three companies: Rinat Akhmetov's DTEK, Maxim Efimov and Eduard Bondarenko's Donbasenergo, and the state-owned Centrenergo.

For a stable passage of the heating season, PJSC Centrenergo needs 3.5 million tons of coal. As Vladimir Galushchak, a member of the directorate, stated at the beginning of the season, 2 million tons should be supplied by state mines, and the rest will have to be imported. For this purpose, last summer we [PJSC Centrenergo] signed contracts for the import of coal from Poland and the USA through the international trader Trafigura. The sum of these contracts amounted to UAH 1.5 billion! DTEK also uses the services of a trader, which needs to import about 1 million tons of coal.

Cooperation between Rinat Akhmetov and the state is so close here that they divided the first batch of 75 thousand tons of coal bought by a trader from the USA in half. Purchases continue, ships with coal go to Ukraine regularly.

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-2-



In addition to coal, there is another link between DTEK, Centrenerg and Trafigura – Alexander Kurpetko, who previously managed coal purchases for Akhmetov's Metinvest Holding. Before that, he was responsible for this in the Donetskstal association, and now he is the representative of Trafigura in Ukraine. Back in 2019, in parallel with his main work, Kurpitko founded the firm Azurit DWC-LLC, which is also engaged in trading in the coal market. The company was prudently registered in Dubai, UAE, in the "free zone". Working at Metinvest Holding, Alexander Kurpetko was actually engaged in his own business. To what extent Azurit DWC-LLC is used by Kurpetko in the procurement of coal by Trafigura for Centrenerg now is not reliably known.

However, according to unconfirmed information, "kickbacks" received by Kurpetko and his superior Sergey Chernovolenko from Trafigura clients are accumulating here.

It turned out that there are three other firms that are also engaged in coal trading. Thus, it turns out that, using the Trafigura trademark and connections, Kurpetko runs his own coal business. His main partner in Ukraine is Dmitry Kovalenko, an "old-timer of the coal market" of the country.

Actually, in fact, there are more firms, but it is reliably known about three companies of these partners: Coaltraydindustry LLC, Intercoaltrading LLC and Terracone Sp. z o.o. (Poland), concerning which there are documentary confirmations on coal purchases.

The Severodonetsk Coaltraydindustry is registered to the front founder Evgeny Klimenko.

This company, like a number of other Ukrainian and foreign companies, is part of the orbit of Dmitry Kovalenko, a native of Donbass, who, with the help of corrupt Russian and Ukrainian officials, supplies coal to Ukraine under the "interrupted transit" scheme

Here are the names of several of Kovalenko's companies involved now or in the past in his schemes:

I-coal,  
Bremer Trading Limited,  
Korner LP,  
Zeades Limited,  
LLC "INTERTRADING GROUP",  
LLC "INTERTRADING SYSTEMS",  
LLC "RIZALT",  
LLC "INTERCOLTRADING",  
LLC "INTERTRADING GROUP S.A."

All the companies are registered to authorized persons and in fact belong to Dmitry Kovalenko. Exports are processed to Moldova, Poland, Romania, Spain and Switzerland, but in fact all wagons are unloaded in Ukraine. Here is an example of the activity of Coaltraydindustry LLC:

25 coal wagons weighing 1,701 tons 600 kg were allegedly delivered by the Polish Terracone Sp. z o.o. to the Ukrainian Coaltraydindustry LLC. The origin of coal at the same time is Novokuznetsk. This delivery is not an isolated one. Almost 680 tons of coal "left" Poland for Ukraine in the same way on January 1, 2022. The country of origin is Russia. In both cases, the buyer is LLC "Intercoaltrading" from Dnipro.

It is in this city that all offices and employees of Kovalenko have their actual location.

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]

Kovalenko Decl. - Ex. 8

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-3-



This LLC is also included in the orbit of Dmitry Kovalenko, the director and founder are the same figureheads as in the previous case. But what is this Terraco Sp. z o.o., which supplies coal from Poland to various Ukrainian companies with similar names? Here is an excerpt from the registry.

As of December 27, 2021, the founders of Terraco Sp. z o.o. were three people: Sergey Kisel, Anastasia Karanovich and Diana Kurpetko. It's a familiar name, isn't it? It can also be found in Ukrainian registries.

The coincidence is not accidental, Diana Kurpetko is the wife of Alexander Kurpetko and in 2021 decided to follow in her husband's footsteps by registering as an entrepreneur.

Judging by the QED – "Consulting on commercial activities and management" and by the fact that she is the co-founder of Terracone Sp. z o.o., which supplies coal, it can be assumed that Diana Kurpetko decided to become an independent consultant on the coal market of Ukraine.

However, let's return directly to Alexander Kurpetko. As already mentioned, he is very adept at using the name and reputation of the employer to his advantage. So it was with Metinvest and Donetskstal, and so it is with Trafigura.

In principle, there would be nothing terrible – these are private firms, let their owners deal with it. If it is acceptable for them that part of the money goes into the pockets of an employee, then this is their decision. But there is one "but", and it is very significant.

Every citizen of Ukraine will pay for the coal that Kurpetko sells. Because it uses generated electricity. And in the case of Centrenergo, the fee will be double. And part of this coal was supplied to her by Kurpetko, who, according to our information, has close friendly relations with Shavlokhov Zaur, responsible for coal purchases at DTEK, who acted as an intermediary between the state-owned Centrenergo and Trafigura trader.

Recall that the more firms involved in the supply chain, the more expensive the final product costs the consumer in the end. The final product in our case is electricity, for the production of which coal is used. But various schemers, such as Dmitry Kovalenko and Alexander Kurpetko, pass this coal through the chain of their firms, each of which winds up its margin. This margin eventually settles in the pockets of the authors of the scheme, but ordinary Ukrainians have to pay this money. Which continue to overpay for coal and electricity. At the same time, the coal that travels under this scheme is mined by the "DNR". Knowing Dmitry Kovalenko's connections in Russia and Ukraine, in law enforcement agencies, he could organize this scheme. And in Ukraine, no one will check it."

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-4-



B. An Interim Order is issued and is hereby issued which prohibits the Defendant and/or its employees and/or its servants and/or its representatives from publishing and/or transmitting to any newspaper and/or publication and/or website and/or online medium and/or radio or television station under its direction and/or its control and/or its ownership and from disclosing to third parties the above-mentioned article in whole or in part and the content and/or claims of the above-mentioned article, until the final hearing of the action and/or until a new order of the Court.

The orders are set returnable on 23/06/22 at 9:30 a.m. The orders remain in effect until then.

The costs are reserved.

ISSUED ON: 02.06.2022 and 09.06.2022

DRAFTED ON: 17.06.2022

(Sgn.) M. AYIOMAMITES, S.D.J.

TRUE COPY

[Sgd.]

REGISTRAR

ENDORSEMENT: If you the above Defendant – DANESCO TRADING LIMITED and/or your employees and/or your servants and/or your representatives, fail to comply with this order, immediately, you are subject to arrest and your property is subject to confiscation.

REGISTRAR

/LM

Receipt No: 2022019	Date: 22/06/2022
In accordance with the power vested in me by the Sworn Translators (Registration and Regulation of Services in the Republic of Cyprus) Law of 2019 (Law 45(I)/2019), I hereby certify that this text in English is a true and accurate translation of the attached document in Greek language.	
Name and Surname of Sworn Translator: Eleni Antoniou	
Register No: 004	
Approved Language Combination: English - Greek	
Signature:	<i>Eleni Antoniou</i>
Stamp Duty:	



Translation of:  
the original document | a copy | an extract | a draft

Contact Information of Sworn Translator:

Tel.: +357 99772006 | +357 22584057

Email: aaeleni@gmail.com

Address: 1, Iasonos Street, 1st Floor, 1082 Nicosia

[Round Official Seal: District Court of Limassol, Cyprus] [Sgd.]

Kovalenko Decl. - Ex. 8

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**ΕΠΑΡΧΙΑΚΟ ΔΙΚΑΣΤΗΡΙΟ ΛΕΜΕΣΟΥ**  
ΕΝΩΠΙΟΝ: Μ. ΑΓΙΟΜΑΜΙΤΗ, Α.Ε.Δ.

Αρ. Αγωγής : 674/2022 ijjustice

Μεταξύ :

DMITRO (DMITRY) KOVALENKO Αρ. Διαβατηρίου Ουκρανίας FF280664  
24ET R.24.02 TOUR ODEON, 34 AVENUE DE L'ANNONCIADÉ, 98000 MONACO

Ενάγοντας

και

DANESCO TRADING LIMITED Αρ. Εγγραφής HE 331166  
JOHN KENNEDY, IRIS HOUSE, ΟΡΟΦΟΣ 7, ΔΙΑΜ/ΓΡΑΦΕΙΟ 740B, 3106, ΛΕΜΕΣΟΣ  
Εναγόμενη

Μετά από Αίτηση χωρίς ειδοποίηση των κ.κ. Δ. ΧΑΤΖΗΝΕΣΤΟΡΟΣ & ΣΙΑ Δ.Ε.Π.Ε. δικηγόρων για Ενάγοντα/Αιτητή και μετά από ανάγνωση της Ενόρκου Ομολογίας η οποία κατατέθηκε προς ενίσχυση της Αιτήσεως αυτής και αφού παρασχέθηκε εγγύηση ύψους €50.000 μέσω του πληρεξουσίου αντιπροσώπου του Εναγοντα/Αιτητή κου. Ευριπίδη Χ' Νέστωρος, για οποιοσδήποτε ζημιές και έξοδα ήθελαν προκληθεί στην Εναγομένη από την έκδοση του διατάγματος,

**Το Δικαστήριο αυτό ΔΙΑ ΤΟΥ ΠΑΡΟΝΤΟΣ ΔΙΑΤΑΤΤΕΙ ΟΠΩΣ:**

Α. Εκδοθεί και δια του παρόντος εκδίδεται Ενδιάμεσο Προσωρινό Διάταγμα με το οποίο η Εναγόμενη διατάσσεται να διαγράψει τη δημοσίευση του κάτωθι αναφερόμενου άρθρου από την ιστοσελίδα στην ηλεκτρονική διεύθυνση <http://weeklynewsreview.com/> και στην ηλεκτρονική διεύθυνση <http://weeklynewsreview.com/news/biz/alexander-kurpetko-rinat-akhmetov-confidant-is-spotted-in-coal-smuggling-scheme-messes-trafigura-into-it/> και από οποιαδήποτε άλλη ιστοσελίδα και διαδικτυακό μέσο υπό τη διεύθυνση της και/ή τον έλεγχο της και/ή την ιδιοκτησία της, στα οποία το έχει δημοσιεύσει, μέχρι τελικής εκδίκασης της αγωγής και/ή μέχρι νεοτέρας διαταγής του Δικαστηρίου.

"Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it"

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-2-

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-3-

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-4-

Β. Εκδοθεί και δια του παρόντος εκδίδεται Ενδιάμεσο Προσωρινό Διάταγμα το οποίο απαγορεύει στην Εναγόμενη και/ή στους υπαλλήλους και/ή στους υπηρέτες και/ή στους αντιπροσώπους της, να δημοσιεύουν και/ή να μεταδίδουν σε οποιαδήποτε εφημερίδα και/ή έντυπο και/ή ιστοσελίδα και/ή διαδικτυακό μέσο και/ή ραδιοφωνικό ή τηλεοπτικό σταθμό υπό τη διεύθυνση τους και/ή τον έλεγχο τους και/ή την ιδιοκτησία τους και να αποκαλύπτουν σε τρίτους το άνωθι αναφερόμενο άρθρο εν όλω ή εν μέρει και το περιεχόμενο και/ή τους ισχυρισμούς του άνωθι αναφερόμενου άρθρου, μέχρι τελικής εκδίκασης της αγωγής και/ή μέχρι νεοτέρας διαταγής του Δικαστηρίου.

Τα διατάγματα ορίζονται επιστρεπτέα στις 23/06/22 και ώρα 9.30 π.μ. Τα διατάγματα παραμένουν σε ισχύ μέχρι τότε.

Τα έξοδα επιφυλάσσονται.

ΕΚΔΟΘΗΚΕ ΤΗΝ: 02.06.2022 και 09.06.2022  
ΣΥΝΤΑΧΘΗΚΕ ΤΗΝ: 17.06.2022

(Υπ.) Μ. ΑΓΙΟΜΑΜΙΤΗΣ, Α.Ε.Δ.

ΠΙΣΤΟΝ ΑΝΤΙΓΡΑΦΟ

ΠΡΩΤΟΚΟΛΛΗΤΗΣ

ΟΠΙΣΘΟΓΡΑΦΗΣΗ: Εάν εσείς η πιο πάνω Εναγομένη- DANESCO TRADING LIMITED και/ή οι υπαλλήλοι και/ή οι υπηρέτες και/ή οι αντιπροσώποι σας, αμελήσετε να υπακούσετε στο αναφερόμενο διάταγμα, αμέσως, σεις μεν υπόκεισθε σε σύλληψη η δε παρουσία σας σε κατάσχεση.

ΠΡΩΤΟΚΟΛΛΗΤΗΣ  
/ΛΜ



# **ANNEX 2**

17:07



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like, at your choice. Please tell me  
when you'll be ready for the  
transaction, I'll delete it. You'll then  
check and if everything is OK, make  
the transaction and we'll finish the  
deal with ambiguous satisfaction.

This is a free online service - the only  
way that you can show ❤ is by  
sharing us on ➡



Facebook



Twitter

FORTIOR LAW S.A.

Geneva, Switzerland, Cours de Rive 4, 1204  
info@fortiorlaw.com / fortiorlaw.com



Anonymize, Inc.  
1100 Bellevue Way NE, Ste 8A-601  
98004 Bellevue  
WA  
USA

By email only: support@anonymize.com

Geneva, 26 September 2022

**URGENT**

Dear Sirs,

**DEFAMATORY MATERIAL AT <http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html>**

1. We act as international legal counsel for Mr Dmytro Kovalenko (also known as Dmitry / Dmitriy Kovalenko, Дмитрий Коваленко in Russian, Дмитро Коваленко in Ukrainian).
2. We refer to the below article mentioning our client published at the above web-page (the “**Article**”). We understand that the above web-page is hosted by yourself.
3. The Article is defamatory of our client. It suggests that our client is involved in illegal schemes to ship coal into Ukraine out of the so-called Donetsk People’s Republic, and could illegally influence state officials to organise such schemes. This is untrue and tends to damage our client’s reputation.
4. We understand that the initial article was first published on [www.weelkynewsreview.com](http://www.weelkynewsreview.com) and was thereafter re-published at the above web-address (the “**Initial Article**”). The text of the Article is identical.
5. By order dated 17 June 2022 (issued between 2 and 9 June 2022), a copy of which is attached (“the Order”) [**Annex 1**], the Court in Limassol issued an injunction ordering that the article published by the [www.weelkynewsreview.com](http://www.weelkynewsreview.com) (the title and text of which appear in the Order – the text being identical to the one published at the above link) be deleted. The Order likewise requires that the article be deleted from any other websites in which the article has been published, which are in any way linked to the defendant.

Your reference: TBD  
Our reference: VK/0122-3  
[info@fortiorlaw.com](mailto:info@fortiorlaw.com)



6. In compliance with the 17 June 2022 Order, [www.weeklynewsreview.com](http://www.weeklynewsreview.com) deleted the article from its own website.
7. The Article at the above page however remain published. We are contacting the owner of the web-page for immediate deletion of the articles. As we have said, this Initial Article is defamatory, should never have been published in the first place and there is a Court Order prohibiting its publication.
8. We are instructed by our client to contact the relevant host provider and owner and request that the article be deleted forthwith, failing which our client intends to take appropriate steps against the same.
9. Please confirm as a matter of urgency that the aforementioned link to the article will be deactivated.

We look forward to hearing from you.

Yours faithfully,

A handwritten signature in blue ink, appearing to be 'VK', followed by a horizontal line.

**Vitaliy Kozachenko**

Attorney and Counsellor-at-Law, New York  
Fortior Law S.A

Naomi D. Johnson

---

**From:** Cliff Joshua (Epik) <support@epik.com>  
**Sent:** Monday, September 26, 2022 12:46 PM  
**To:** Moldoshev Erlan  
**Subject:** [Epik] Re: Hosting Service Abuse - Defamation

## - Please type your reply above this line -##

We've marked this ticket (#249390) as resolved. Not yet? No worries. Just

reply back or click the link below and we can continue our dialogue until you are satisfied.



**Cliff Joshua (Epik)**

Sep 26, 2022, 12:46 PDT

Dear Moldoshev Erlan,

Thank you for reaching out to Epik, we hope you're well.

Unfortunately our Support team does not handle Abuse Complaints through tickets, chat or phone. All abuse complaints/reports need to take place through our formal abuse channel, which is [abuse.epik.com](https://abuse.epik.com). If you're contacting us regarding Registrant Data, UDRP or are Law Enforcement, please email [abuse@epik.com](mailto:abuse@epik.com) and our team will be in touch.

Our Abuse & Legal department aim to address every Abuse Report in less than 48 hours. For more information on how we handle Abuse Reports, you can visit <https://www.epik.com/abuse-policy/>

Thank you!

Best regards,

Cliff P.

Customer Success Representative

<https://epik.com>

Worldwide: +1.206-826-2345

US Toll Free: 800-410-0728

- Full-Service Registrar and Host
- Domain Marketplace

- Legendary Support

Check out our social media channels!

<https://facebook.com/epikdotcom>

<https://twitter.com/epikdotcom>



**Moldoshev Erlan**

Sep 26, 2022, 12:26 PDT

Dear Sirs,

Please see the attached letter and its exhibit.

Kind regards,

Erlan Moldoshev

Foreign Counsel

Fortior Law S.A.

Cours de Rive 4

1204 Geneva, Switzerland

Tel: +41 (0)22 548 1748

Fax: +41 (0)22 518 8090

[erlan.moldoshev@fortiorlaw.com](mailto:erlan.moldoshev@fortiorlaw.com)

[www.fortiorlaw.com](http://www.fortiorlaw.com) (<http://www.fortiorlaw.com/>)

This e-mail (including all attachments) is confidential and may be privileged. If you have received it in error, please contact us immediately and then delete it. Fortior Law S.A. is an association of lawyers and legal professionals qualified in various jurisdictions. Where Court work is involved, Fortior's lawyers represent clients in their individual capacity where they are authorised to do so, but the clients remain clients of the firm. Currently we have lawyers authorised to practice in England and Wales, Georgia, Kyrgyzstan, Malta, New York, Switzerland and Ukraine. "Associate", "Counsel" or equivalent title in email signatures refers to lawyers authorised in one or more jurisdictions, who may either act as lawyers in the jurisdictions where they are authorised or assistants to other lawyers when they are not authorised in the relevant jurisdiction.

Attachment(s)

[image001.png](#)

[2022.09.26 Letter to Anonymise.pdf](#)

[Annex 1.pdf](#)

Issue: Abuse

This email is a service from Epik. Delivered by [Zendesk](#)

**From:** Derek Linke <Linke@newmanlaw.com>  
**Sent:** Monday, November 28, 2022 2:03 PM  
**To:** Jeff Edelson <jeffedelson@markowitzherbold.com>  
**Subject:** Re: [EXTERNAL]RE: Kovalenko v. Epik Holdings

Jeff,

Thanks for this. My clients decline the request to voluntarily provide identifying information on an informal basis and believe that they may be prohibited from doing so.

However, I would be authorized to accept email service of on their behalf of a duly-issued SDT directed at Epik Holdings, Inc. or Anonymize, Inc. I note "duly issued" because discovery hasn't yet opened in the case. Any purported subpoena sent prior to the opening of discovery or which is not otherwise authorized by the Court is not enforceable.

Thanks. Please let me know if you would like to discuss.

Derek Linke  
Newman Du Wors LLP  
direct (206) 274-2827  
mobile (206) 669-3638



wartmann merker

Dr. Peter Reichart, LL.M.  
Dr. Peter Hafner, LL.M.  
Dr. Reto Strittmatter  
Dr. Giovanna Montanaro  
Dr. Anne-Catherine Hahn, LL.M.  
Andrea Roth, LL.M.  
Dominic Hägler, LL.M.  
Dr. Felix Buff, LL.M.  
Marco Manzoni  
Gina Dür  
Dr. Christoph Mettler  
Lara Gachnang

**By DHL**

**By e-mail** (adrian.zuber@bs-energy.de)  
Braunschweiger Versorgungs-AG & Co. KG  
Mr. Adrian Zuber  
Head of Purchasing  
Taubenstrasse 7  
38106 Braunschweig  
Germany

**By DHL**

**By e-mail** (krzysztof.zamasz@veolia.com)  
Veolia Energia Polska S.A.  
Mr. Krzysztof Zamasz  
Commercial Director Poland  
Ul Pulawska 2  
Plac Unii C  
02-566 Warszawa  
Poland

28 September 2022 /ID468960

**Adelon AG / BS ENERGY Group  
Compliance Check**

Dear Messrs. Zuber and Zamasz

Our law firm represents the interests of Mr. Dmitry Kovalenko. Mr. Kovalenko is the beneficial owner of Adelon AG, CH-6340 Baar.

Our client has informed us that BS ENERGY Group, due to the result of a compliance check, wants to refrain from entering into a business relationship with Adelon AG. Mr. Kovalenko is very concerned about this decision and thinks that it has been taken based on false and defamatory information about him circulating in the internet.

**Wartmann Merker AG**  
Rechtsanwälte – Attorneys at law  
Kirchgasse 48  
CH-8024 Zürich  
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F +41 (0) 44 212 15 11  
www.wartmann-merker.ch  
Eingetragen im Anwaltsregister

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2/4

In fact, Mr. Kovalenko has been fighting for several months to have removed articles from the internet which contain false and defamatory information about him. In this context he has mandated several law firms, amongst others Fortior Law S.A, Geneva (Switzerland), D. Hadjnestoros & Co L.L.C., Limassol (Cyprus), Slazak, Zapior i Partnerzy, Katowice (Poland) and our law firm.

It is Mr. Kovalenko's concern to inform you as follows:

1. On 29 January 2022, Zürich Weekly News Review (hereinafter "ZWNR"), published an article on its webpage (www.weeklynewsreview.com) with the title *"Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it"* (hereinafter the "Post").

In the Post, our client is mentioned several times. It is alleged, amongst others, that Mr. Kovalenko (i) is a partner of Mr. Kurpetko and maintains three companies with him, (ii) with the help of corrupt Russian and Ukrainian officials, supplies coal to the Ukraine under a certain scheme, (iii) is the owner of several companies involved in his schemes and (iv) causes Ukrainians to overpay for coal.

All of these allegations are untrue, unfair and infringe our client's personality. Mr. Kurpetko is not a partner of Mr. Kovalenko. Further, the insinuations made in the Post regarding the supply of coal by Mr. Kovalenko to the Ukraine are false and defamatory. Mr. Kovalenko clearly rejects them. In his business activity, he strictly complies with applicable Ukrainian and international law.

2. On 1 February 2022, our client instructed us to take legal action against ZWNR. On 1 February 2022, we wrote a warning letter to ZWNR by registered mail and requested them to immediately remove the Post from the website or at least the parts referring to Mr. Kovalenko (Enclosure 1).

The letter was sent to the address as indicated on ZWNR's webpage (i.e. Bellerivestrasse 11, 8008 Zürich), to the attention of the CEO, Ms. Emma Parker (as indicated on their webpage). The letter, however, could not be delivered and was returned to our office two days later. It turned out that no ZWNR or Ms. Emma Parker could be identified at Bellerivestrasse 11, 8008 Zürich.

We also sent our letter of 1 February 2022 to ZWNR's e-mail address as indicated on their webpage (i.e. weeklynewsreview@protonmail.ch). On the same day we received an e-mail reply which contained a hyperlink only. Since our IT support strongly recommended not to open the hyperlink, we wrote another e-mail to ZWNR's e-mail address and requested them to answer in text form. We have not heard back from them since.

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3. Further, we learned that the Post also appeared on a Polish and Ukrainian webpage (<http://warsawpoint.com>; <http://368.media>, respectively) and that our client instructed lawyers in Poland and the Ukraine to take actions against the responsible persons.

The Ukrainian lawyers lodged a complaint with the editor and journalists of the website 368.media in respect of the Post and successfully requested them to remove the Post.

The Polish lawyers, however, received the following reply by e-mail after they had requested warsawpoint to remove the Post:

«Hi!

*I suppose 0.1 BTC will be enough for the retraction of the article, with or without replacing on the one you'll like, at your choice. Please tell me when you'll be ready for the transaction, I'll delete it. You'll then check and if everything is OK, make the transaction and we'll finish the deal with ambiguous satisfaction.*

*Thank you»*

This e-mail clearly shows that the authors of the Post simply try to extort money from our client which is illegal.

4. We then evaluated the possibility of filing an ex-parte interim injunction with a Swiss court based on Article 28 of the Swiss Civil Code, according to which any person whose personality rights are unlawfully infringed may petition the court for protection against all those causing the infringement. Since ZWNR and the persons showing up on their webpage seem to be fake, it is, however, difficult to identify possible defendants. Thus, we examined if we can take actions against the IP-provider of [www.weeklynewsreview.com](http://www.weeklynewsreview.com). Our research disclosed that their IP-provider, Danesco Trading Limited, is located in Cyprus.
5. Our client then instructed Cyprus lawyers, i.e. D. Hadjnestoros & Co L.L.C., Limassol, to apply for an interim injunction against Danesco Trading Limited, Limassol. The district court of Limassol, in June 2022, followed our client's request and issued an **injunction** ordering that the Post published by [www.weeklynewsreview.com](http://www.weeklynewsreview.com) be deleted (Enclosure 2). The order likewise requires that the Post be deleted from any other website in which the Post has been published, which are in any way linked to Danesco Trading Limited.

In compliance with the court order, [www.weeklynewsreview.com](http://www.weeklynewsreview.com) deleted the Post from its website.

6. Apart from [www.weeklynewsreview.com](http://www.weeklynewsreview.com), the Post was also published on a number of other websites. A number of resources have simply copy-pasted the Post from [www.weeklynewsreview.com](http://www.weeklynewsreview.com). Others have published the Post in other languages.

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The Post, amongst others, is published at [warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html](https://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html). By letter of 23 September 2022, Fortior Law S.A. requested warsawpoint's IP-Provider (Epik Holdings Inc.) to remove the Post or the entire webpage (Enclosure 3).

Further, Fortior Law S.A., by letter of 23 September 2022, requested Google as a matter of urgency to remove from Google search results the numerous remaining links leading to the Post (Enclosure 4).

Against this background Mr. Kovalenko kindly asks you to re-consider your decision and verify the result of the compliance check.

Mr. Kovalenko is willing to answer any question you might have in connection with the compliance check.

I am looking forward to hearing from you.

Yours sincerely



Reto Strittmatter

Enclosures

cc: Mr. Dmitry Kovalenko

wartmann merker

Dr. Peter Reichart, LL.M.  
Dr. Peter Hafner, LL.M.  
Dr. Reto Strittmatter  
Dr. Giovanna Montanaro  
Dr. Anne-Catherine Hahn, LL.M.  
Andrea Roth, LL.M.  
Dominic Hägler, LL.M.  
Dr. Felix Buff, LL.M.  
Gina Dür  
Dr. Christoph Mettler  
Lara Gachnang

**By DHL**

**By e-mail** (ewa.hosaja@grupazoty.com)

Grupa Azoty S.A.

Ms. Ewa Hosaja

ul. Kwiatkowskiego 8

33-101 Tarnów

Poland

5 October 2022 /ID469628

**Polska Grupa Importowa Sp. z o.o. / Grupa Azoty S.A.  
Compliance Check**

Dear Ms. Hosaja

Our law firm represents the interests of Mr. Dmitry Kovalenko. Mr. Kovalenko is the beneficial owner of Polska Grupa Importowa Premium Sp. z o.o., 40-009 Katowice.

Our client has informed us that Grupa Azoty S.A., due to the result of a compliance check, wants to refrain from entering into a business relationship with Polska Grupa Importowa Premium Sp. z o.o.. Mr. Kovalenko is very concerned about this decision and thinks that it has been taken based on false and defamatory information about him circulating in the internet.

In fact, Mr. Kovalenko has been fighting for several months to have removed articles from the internet which contain false and defamatory information about him. In this context he has mandated several law firms, amongst others Fortior Law S.A, Geneva (Switzerland), D. Hadjnestoros & Co L.L.C., Limassol (Cyprus), Slazak, Zapior i Partnerzy, Katowice (Poland) and our law firm.

**Wartmann Merker AG**  
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www.wartmann-merker.ch  
Eingetragen im Anwaltsregister

Kovalenko Decl. - Ex. 12

Page 5 of 16



wartmann

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It is Mr. Kovalenko's concern to inform you as follows:

1. On 29 January 2022, Zürich Weekly News Review (hereinafter "ZWNR"), published an article on its webpage ([www.weeklynewsreview.com](http://www.weeklynewsreview.com)) with the title "*Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it*" (hereinafter the "Post").

In the Post, our client is mentioned several times. It is alleged, amongst others, that Mr. Kovalenko (i) is a partner of Mr. Kurpetko and maintains three companies with him, (ii) with the help of corrupt Russian and Ukrainian officials, supplies coal to the Ukraine under a certain scheme, (iii) is the owner of several companies involved in his schemes and (iv) causes Ukrainians to overpay for coal.

All of these allegations are untrue, unfair and infringe our client's personality. Mr. Kurpetko is not a partner of Mr. Kovalenko. Further, the insinuations made in the Post regarding the supply of coal by Mr. Kovalenko to the Ukraine are false and defamatory. Mr. Kovalenko clearly rejects them. In his business activity, he strictly complies with applicable Ukrainian and international law.

2. On 1 February 2022, our client instructed us to take legal action against ZWNR. On 1 February 2022, we wrote a warning letter to ZWNR by registered mail and requested them to immediately remove the Post from the website or at least the parts referring to Mr. Kovalenko (Enclosure 1).

The letter was sent to the address as indicated on ZWNR's webpage (i.e. Bellerivestrasse 11, 8008 Zürich), to the attention of the CEO, Ms. Emma Parker (as indicated on their webpage). The letter, however, could not be delivered and was returned to our office two days later. It turned out that no ZWNR or Ms. Emma Parker could be identified at Bellerivestrasse 11, 8008 Zürich.

We also sent our letter of 1 February 2022 to ZWNR's e-mail address as indicated on their webpage (i.e. [weeklynewsreview@protonmail.ch](mailto:weeklynewsreview@protonmail.ch)). On the same day we received an e-mail reply which contained a hyperlink only. Since our IT support strongly recommended not to open the hyperlink, we wrote another e-mail to ZWNR's e-mail address and requested them to answer in text form. We have not heard back from them since.

3. Further, we learned that the Post also appeared on a Polish and Ukrainian webpage (<http://warsawpoint.com>; <http://368.media>, respectively) and that our client instructed lawyers in Poland and the Ukraine to take actions against the responsible persons.

The Ukrainian lawyers lodged a complaint with the editor and journalists of the website 368.media in respect of the Post and successfully requested them to remove the Post.

wartmann

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The Polish lawyers, however, received the following reply by e-mail after they had requested warsawpoint to remove the Post:

«Hi!

*I suppose 0.1 BTC will be enough for the retraction of the article, with or without replacing on the one you'll like, at your choice. Please tell me when you'll be ready for the transaction, I'll delete it. You'll then check and if everything is OK, make the transaction and we'll finish the deal with ambiguous satisfaction.*

*Thank you»*

This e-mail clearly shows that the authors of the Post simply try to extort money from our client which is illegal.

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5. Our client then instructed Cyprus lawyers, i.e. D. Hadjnestoros & Co L.L.C., Limassol, to apply for an interim injunction against Danesco Trading Limited, Limassol. The district court of Limassol, in June 2022, followed our client's request and issued an **injunction** ordering that the Post published by [www.weeklynewsreview.com](http://www.weeklynewsreview.com) be deleted (Enclosure 2). The order likewise requires that the Post be deleted from any other website in which the Post has been published, which are in any way linked to Danesco Trading Limited.

In compliance with the court order, [www.weeklynewsreview.com](http://www.weeklynewsreview.com) deleted the Post from its website.

6. Apart from [www.weeklynewsreview.com](http://www.weeklynewsreview.com), the Post was also published on a number of other websites. A number of resources have simply copy-pasted the Post from [www.weeklynewsreview.com](http://www.weeklynewsreview.com). Others have published the Post in other languages.

The Post, amongst others, is published at [warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html](http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html). By letter of 23 September 2022, Fortior Law S.A. requested warsawpoint's IP-Provider (Epik Holdings Inc.) to remove the Post or the entire webpage (Enclosure 3).

wartmann

4/4

Further, Fortior Law S.A., by letter of 23 September 2022, requested Google as a matter of urgency to remove from Google search results the numerous remaining links leading to the Post (Enclosure 4).

Against this background Mr. Kovalenko kindly asks you to re-consider your decision and verify the result of the compliance check.

Mr. Kovalenko is willing to answer any question you might have in connection with the compliance check.

I am looking forward to hearing from you.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R. Strittmatter', with a stylized, flowing script.

Reto Strittmatter

Enclosures

cc: Mr. Dmitry Kovalenko

wartmannmerker

Dr. Peter Reichart, LL.M.  
Dr. Peter Hafner, LL.M.  
Dr. Reto Strittmatter  
Dr. Giovanna Montanaro  
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Dr. Felix Buff, LL.M.  
Gina Dür  
Dr. Christoph Mettler  
Lara Gachnang

**By DHL**

**By e-mail** (kamil.jedynak@otlogistics.pl / lukasz.przyszlak@otlogistics.pl)

OT Logistics S.A.

Messrs.

Kamil Jedynak, Chairman of the Board

Lukasz Przyszlak, Commercial Director

ul. Zbozova 4

70-653 Szczecin

Poland

5 October 2022 /ID469625

**Polska Grupa Importowa Premium Sp. z o.o. / OT Logistics S.A.  
Compliance Check**

Dear Messrs. Jedynak and Przyszlak

Our law firm represents the interests of Mr. Dmitry Kovalenko. Mr. Kovalenko is the beneficial owner of Polska Grupa Importowa Premium Sp. z o.o., 40-009 Katowice.

Our client has informed us that OT Logistics S.A., due to the result of a compliance check, wants to refrain from entering into a business relationship with Polska Grupa Importowa Premium Sp. z o.o.. Mr. Kovalenko is very concerned about this decision and thinks that it has been taken based on false and defamatory information about him circulating in the internet.

In fact, Mr. Kovalenko has been fighting for several months to have removed articles from the internet which contain false and defamatory information about him. In this context he has mandated several law firms, amongst others Fortior Law S.A, Geneva (Switzerland), D. Hadjnestoros & Co L.L.C., Limassol (Cyprus), Slazak, Zapior i Partnerzy, Katowice (Poland) and our law firm.

**Wartmann Merker AG**  
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Kirchgasse 48  
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F +41 (0) 44 212 15 11  
www.wartmann-merker.ch  
Eingetragen im Anwaltsregister

Kovalenko Decl. - Ex. 12

Page 9 of 16

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2/4

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The letter was sent to the address as indicated on ZWNR's webpage (i.e. Bellerivestrasse 11, 8008 Zürich), to the attention of the CEO, Ms. Emma Parker (as indicated on their webpage). The letter, however, could not be delivered and was returned to our office two days later. It turned out that no ZWNR or Ms. Emma Parker could be identified at Bellerivestrasse 11, 8008 Zürich.

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3/4

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In compliance with the court order, [www.weeklynewsreview.com](http://www.weeklynewsreview.com) deleted the Post from its website.

6. Apart from [www.weeklynewsreview.com](http://www.weeklynewsreview.com), the Post was also published on a number of other websites. A number of resources have simply copy-pasted the Post from [www.weeklynewsreview.com](http://www.weeklynewsreview.com). Others have published the Post in other languages.

The Post, amongst others, is published at [warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html](http://warsawpoint.com/economics/27714-alexander-kurpetko-from-rinat-akhmetov-circle-uses-trafigura-trader-to-cover-counterfeit-coal-trade.html). By letter of 23 September 2022, Fortior Law S.A. requested warsawpoint's IP-Provider (Epik Holdings Inc.) to remove the Post or the entire webpage (Enclosure 3).

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Further, Fortior Law S.A., by letter of 23 September 2022, requested Google as a matter of urgency to remove from Google search results the numerous remaining links leading to the Post (Enclosure 4).

Against this background Mr. Kovalenko kindly asks you to re-consider your decision and verify the result of the compliance check.

Mr. Kovalenko is willing to answer any question you might have in connection with the compliance check.

I am looking forward to hearing from you.

Yours sincerely



Reto Strittmatter

Enclosures

cc: Mr. Dmitry Kovalenko

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Dr. Peter Reichart, LL.M.  
Dr. Peter Hafner, LL.M.  
Dr. Reto Strittmatter  
Dr. Giovanna Montanaro  
Dr. Anne-Catherine Hahn, LL.M.  
Andrea Roth, LL.M.  
Dominic Hägler, LL.M.  
Dr. Felix Buff, LL.M.  
Gina Dür  
Dr. Christoph Mettler  
Lara Gachnang

**By DHL**

**By e-mail** (m.grodzki@p2trading.pl)

P2 Trading Sp. Z o.o.

Mr. Mariusz Grodzki

Chairman of the Board

Józefa Longina Sowińskiego 46

40-018 Katowice

Poland

5 October 2022 /ID469475

**Polska Grupa Importowa Premium Sp. z o.o. / P2 Trading Sp. z o.o.  
Compliance Check**

Dear Mr. Grodzki

Our law firm represents the interests of Mr. Dmitry Kovalenko. Mr. Kovalenko is the beneficial owner of Polska Grupa Importowa Premium Sp. z o.o., 40-009 Katowice.

Our client has informed us that P2 Trading Sp. z o.o., due to the result of a compliance check, wants to refrain from entering into a business relationship with Polska Grupa Importowa Premium Sp. z o.o.. Mr. Kovalenko is very concerned about this decision and thinks that it has been taken based on false and defamatory information about him circulating in the internet.

In fact, Mr. Kovalenko has been fighting for several months to have removed articles from the internet which contain false and defamatory information about him. In this context he has mandated several law firms, amongst others Fortior Law S.A, Geneva (Switzerland), D. Hadjnestoros & Co L.L.C., Limassol (Cyprus), Slazak, Zapior i Partnerzy, Katowice (Poland) and our law firm.

**Wartmann Merker AG**  
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Eingetragen im Anwaltsregister

Kovalenko Decl. - Ex. 12

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It is Mr. Kovalenko's concern to inform you as follows:

1. On 29 January 2022, Zürich Weekly News Review (hereinafter "ZWNR"), published an article on its webpage ([www.weeklynewsreview.com](http://www.weeklynewsreview.com)) with the title "*Alexander Kurpetko, Rinat Akhmetov confidant, is spotted in coal smuggling scheme, messes Trafigura into it*" (hereinafter the "Post").

In the Post, our client is mentioned several times. It is alleged, amongst others, that Mr. Kovalenko (i) is a partner of Mr. Kurpetko and maintains three companies with him, (ii) with the help of corrupt Russian and Ukrainian officials, supplies coal to the Ukraine under a certain scheme, (iii) is the owner of several companies involved in his schemes and (iv) causes Ukrainians to overpay for coal.

All of these allegations are untrue, unfair and infringe our client's personality. Mr. Kurpetko is not a partner of Mr. Kovalenko. Further, the insinuations made in the Post regarding the supply of coal by Mr. Kovalenko to the Ukraine are false and defamatory. Mr. Kovalenko clearly rejects them. In his business activity, he strictly complies with applicable Ukrainian and international law.

2. On 1 February 2022, our client instructed us to take legal action against ZWNR. On 1 February 2022, we wrote a warning letter to ZWNR by registered mail and requested them to immediately remove the Post from the website or at least the parts referring to Mr. Kovalenko (Enclosure 1).

The letter was sent to the address as indicated on ZWNR's webpage (i.e. Bellerivestrasse 11, 8008 Zürich), to the attention of the CEO, Ms. Emma Parker (as indicated on their webpage). The letter, however, could not be delivered and was returned to our office two days later. It turned out that no ZWNR or Ms. Emma Parker could be identified at Bellerivestrasse 11, 8008 Zürich.

We also sent our letter of 1 February 2022 to ZWNR's e-mail address as indicated on their webpage (i.e. [weeklynewsreview@protonmail.ch](mailto:weeklynewsreview@protonmail.ch)). On the same day we received an e-mail reply which contained a hyperlink only. Since our IT support strongly recommended not to open the hyperlink, we wrote another e-mail to ZWNR's e-mail address and requested them to answer in text form. We have not heard back from them since.

3. Further, we learned that the Post also appeared on a Polish and Ukrainian webpage (<http://warsawpoint.com>; <http://368.media>, respectively) and that our client instructed lawyers in Poland and the Ukraine to take actions against the responsible persons.

The Ukrainian lawyers lodged a complaint with the editor and journalists of the website 368.media in respect of the Post and successfully requested them to remove the Post.

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The Polish lawyers, however, received the following reply by e-mail after they had requested warsawpoint to remove the Post:

«Hi!

*I suppose 0.1 BTC will be enough for the retraction of the article, with or without replacing on the one you'll like, at your choice. Please tell me when you'll be ready for the transaction, I'll delete it. You'll then check and if everything is OK, make the transaction and we'll finish the deal with ambiguous satisfaction.*

*Thank you»*

This e-mail clearly shows that the authors of the Post simply try to extort money from our client which is illegal.

4. We then evaluated the possibility of filing an ex-parte interim injunction with a Swiss court based on Article 28 of the Swiss Civil Code, according to which any person whose personality rights are unlawfully infringed may petition the court for protection against all those causing the infringement. Since ZWNR and the persons showing up on their webpage seem to be fake, it is, however, difficult to identify possible defendants. Thus, we examined if we can take actions against the IP-provider of www.weeklynewsreview.com. Our research disclosed that their IP-provider, Danesco Trading Limited, is located in Cyprus.
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Mr. Kovalenko is willing to answer any question you might have in connection with the compliance check.

I am looking forward to hearing from you.

Yours sincerely



Reto Strittmatter

Enclosures

cc: Mr. Dmitry Kovalenko

**ATTORNEY CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2022, I have made service of the foregoing **DECLARATION OF DMYTRO KOVALENKO IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER** on the parties listed below in the manner indicated:

[John Does 1 through 5, dba  
www.warsawpoint.com](#)

<input type="checkbox"/>	U.S. Mail
<input type="checkbox"/>	Facsimile
<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Overnight Courier
<input checked="" type="checkbox"/>	Email - <a href="mailto:warsaw@mail-on.us">warsaw@mail-on.us</a>
<input type="checkbox"/>	Electronically via USDC CM/ECF system

DATED this 7th day of December, 2022.

*s/ Jeffrey M. Edelson*

---

Jeffrey M. Edelson  
WSBA #37361  
Attorney for Plaintiff